

107TH CONGRESS  
1ST SESSION

# H. R. 1646

To authorize appropriations for the Department of State for fiscal years  
2002 and 2003, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2001

Mr. HYDE (for himself and Mr. LANTOS) introduced the following bill; which  
was referred to the Committee on International Relations

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## A BILL

To authorize appropriations for the Department of State  
for fiscal years 2002 and 2003, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

### 3   **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Foreign Relations Au-  
5       thorization Act, Fiscal Years 2002 and 2003”.

### 6   **SEC. 2. TABLE OF CONTENTS.**

7       The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

## TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

### Subtitle A—Department of State

- Sec. 101. Administration of foreign affairs.
- Sec. 102. International commissions.
- Sec. 103. United States educational and cultural programs.
- Sec. 104. Contributions to international organizations.
- Sec. 105. Contributions for international peacekeeping activities.
- Sec. 106. Grants to the Asia Foundation.
- Sec. 107. Voluntary contributions to international organizations.
- Sec. 108. Migration and refugee assistance.

Subtitle B—United States International Broadcasting Operations

- Sec. 121. Authorizations of appropriations.

TITLE II—AUTHORITIES AND ACTIVITIES OF THE DEPARTMENT  
OF STATE

Subtitle A—Basic Authorities and Activities

- Sec. 201. Continuation of reporting requirements.
- Sec. 202. Continuation of other reports.
- Sec. 203. Report concerning elimination of Colombian opium.
- Sec. 204. Repeal of provision regarding housing for foreign agricultural attache.
- Sec. 205. Human rights monitoring.
- Sec. 206. Correction of Fishermen's Protective Act of 1967.
- Sec. 207. International litigation fund.
- Sec. 208. Emergency evacuation services.
- Sec. 209. Withholding of funding until submission of report on Cuban emigration policies.
- Sec. 210. Implementation of the Intercountry Adoption Act of 2000.
- Sec. 211. Report concerning the effect of Plan Colombia on Ecuador.

Subtitle B—Consular Authorities

- Sec. 231. Machine readable visas.
- Sec. 232. Establishment of a consular branch office in Lhasa, Tibet.
- Sec. 233. Establishment of a diplomatic or consular post in Equatorial Guinea.
- Sec. 234. Processing of visa applications.
- Sec. 235. United States policy with respect to Jerusalem as the capital of Israel.

Subtitle C—Migration and Refugees

- Sec. 251. United States policy regarding the involuntary return of refugees.
- Sec. 252. Report on overseas refugee processing.

TITLE III—ORGANIZATION AND PERSONNEL OF THE  
DEPARTMENT OF STATE

Subtitle A—Organizational Matters

- Sec. 301. Report on workforce plan.
- Sec. 302. "Rightsizing" overseas posts.
- Sec. 303. Qualifications of certain officers of the Department of State.
- Sec. 304. United States Special Coordinator for Tibetan Issues.

Subtitle B—Personnel Matters

- Sec. 331. Report concerning retired members of the foreign service and civil service who are registered agents of a government of a foreign country.
- Sec. 332. Tibetan language training.
- Sec. 333. Dependents on family visitation travel.
- Sec. 334. Thomas Jefferson Star.
- Sec. 335. Health education and disease prevention programs.
- Sec. 336. Training authorities.
- Sec. 337. Foreign national retirement plans.
- Sec. 338. Presidential rank awards.
- Sec. 339. Emergency medical advance payments.
- Sec. 340. Unaccompanied air baggage.
- Sec. 341. Special agent authorities.
- Sec. 342. Report concerning minority employment.

#### TITLE IV—UNITED STATES EDUCATIONAL AND CULTURAL PROGRAMS OF THE DEPARTMENT OF STATE

- Sec. 401. Extension of requirement for scholarships for Tibetans and Burmese.
- Sec. 402. Nonprofit entities for cultural programming.
- Sec. 403. Fulbright-Hays authorities.
- Sec. 404. Ethical issues in international health research.

#### TITLE V—UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES

- Sec. 501. Eliminating staff positions for the Advisory Board for Cuba Broadcasting.
- Sec. 502. Reports on broadcasting personnel.

#### TITLE VI—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

- Sec. 601. United Nations arrears payments and reform.
- Sec. 602. Travel by advisory committee members to Great Lakes Fishery Commission annual meeting.
- Sec. 603. United States policy on composition of the United Nations Human Rights Commission.
- Sec. 604. United States membership in the International Organization for Migration.

#### TITLE VII—MISCELLANEOUS PROVISIONS

##### Subtitle A—General Provisions

- Sec. 701. Amendments to the Iran Nonproliferation Act of 2000.
- Sec. 702. Amendments to the North Korea Threat Reduction Act of 1999.
- Sec. 703. Amendments to the International Religious Freedom Act of 1998.
- Sec. 704. Continuation of United States Advisory Commission on Public Diplomacy.
- Sec. 705. Participation of South Asia countries in international law enforcement academies.

##### Subtitle B—Sense of Congress Provisions

- Sec. 731. Sense of congress relating to HIV/AIDS and United Nations peace-keeping operations.
- Sec. 732. Sense of congress relating to HIV/AIDS task force.

- Sec. 733. Sense of congress condemning the destruction of pre-islamic statues in Afghanistan by the Taliban regime.
- Sec. 734. Sense of congress relating to resolution of the Taiwan Strait issue.
- Sec. 735. Sense of congress relating to arsenic contamination in drinking water in Bangladesh.
- Sec. 736. Sense of congress relating to display of the American flag at the American Institute in Taiwan.
- Sec. 737. Sense of congress regarding human rights violations in West Papua and Aceh, including the murder of Jafar Siddiq Hamzah, and escalating violence in Maluku and Central Kalimantan.

#### TITLE VIII—SECURITY ASSISTANCE

- Sec. 801. Short title.

##### Subtitle A—Military and Related Assistance

###### CHAPTER 1—FOREIGN MILITARY SALES AND FINANCING AUTHORITIES

- Sec. 811. Official reception and representation expenses.
- Sec. 812. Quarterly report on price and availability estimates.

###### CHAPTER 2—EXCESS DEFENSE ARTICLE AND DRAWDOWN AUTHORITIES

- Sec. 821. Excess defense articles for certain European and other countries.
- Sec. 822. Annual report on projected availability of excess defense articles.
- Sec. 823. Expanded drawdown authority.
- Sec. 824. Leases of defense articles for foreign countries and international organizations.

###### CHAPTER 3—NONPROLIFERATION AND EXPORT CONTROL ASSISTANCE

- Sec. 831. International counterproliferation education and training.
- Sec. 832. Annual report on the proliferation of missiles and essential components of nuclear, biological, and chemical weapons.
- Sec. 833. Five-year international arms control and nonproliferation strategy.

##### Subtitle B—Strengthening the Munitions Licensing Process

- Sec. 841. License officer staffing.
- Sec. 842. Funding for database automation.
- Sec. 843. Information management priorities.
- Sec. 844. Improvements to the Automated Export System.
- Sec. 845. Congressional notification of removal of items from the Munitions List.
- Sec. 846. Congressional notification thresholds for allied countries.

##### Subtitle C—Authority to Transfer Naval Vessels

- Sec. 851. Authority to transfer naval vessels to certain foreign countries.

##### Subtitle D—Miscellaneous Provisions

- Sec. 861. Annual foreign military training reports.
- Sec. 862. Report relating to International Arms Sales Code of Conduct.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
4 TEES.—The term “appropriate congressional com-  
5 mittees” means the Committee on International Re-  
6 lations of the House of Representatives and the  
7 Committee on Foreign Relations of the Senate.

8 (2) DEPARTMENT.—The term “Department”  
9 means the Department of State.

10 (3) SECRETARY.—The term “Secretary” means  
11 the Secretary of State.

12 **TITLE I—AUTHORIZATIONS OF**  
13 **APPROPRIATIONS**  
14 **Subtitle A—Department of State**

15 **SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.**

16 The following amounts are authorized to be appro-  
17 priated for the Department of State under “Administra-  
18 tion of Foreign Affairs” to carry out the authorities, func-  
19 tions, duties, and responsibilities in the conduct of the for-  
20 eign affairs of the United States and for other purposes  
21 authorized by law, including public diplomacy activities  
22 and the diplomatic security program:

23 (1) DIPLOMATIC AND CONSULAR PROGRAMS.—

24 (A) AUTHORIZATION OF APPROPRIA-  
25 TIONS.—For “Diplomatic and Consular Pro-  
26 grams” of the Department of State,

1           \$3,705,140,000 for the fiscal year 2002 and  
2           such sums as may be necessary for the fiscal  
3           year 2003.

4           (B) LIMITATIONS.—

5           (i) WORLDWIDE SECURITY UP-  
6           GRADES.—Of the amounts authorized to be  
7           appropriated by subparagraph (A),  
8           \$487,735,000 for the fiscal year 2002 and  
9           such sums as may be necessary for the fis-  
10          cal year 2003 are authorized to be appro-  
11          priated only for worldwide security up-  
12          grades.

13          (ii) BUREAU OF DEMOCRACY, HUMAN  
14          RIGHTS, AND LABOR.—Of the amounts au-  
15          thorized to be appropriated by subpara-  
16          graph (A), \$16,000,000 for the fiscal year  
17          2002 and \$20,000,000 for the fiscal year  
18          2003 are authorized to be appropriated  
19          only for salaries and expenses of the Bu-  
20          reau of Democracy, Human Rights, and  
21          Labor.

22          (iii) RECRUITMENT OF MINORITY  
23          GROUPS.—Of the amounts authorized to be  
24          appropriated by subparagraph (A),  
25          \$2,000,000 for the fiscal year 2002 and

1           \$2,000,000 for the fiscal year 2003 are au-  
2           thorized to be appropriated only for the re-  
3           cruitment of members of minority groups  
4           for careers in the Foreign Service and  
5           international affairs.

6                   (iv) MOBILE LIBRARY FOR UNITED  
7           STATES INTERESTS SECTION IN CUBA.—

8           Of the amounts authorized to be appro-  
9           priated by subparagraph (A), \$70,000 for  
10          the fiscal year 2002 and \$70,000 for the  
11          fiscal year 2003 are authorized to be ap-  
12          propriated only for the establishment and  
13          operation of a mobile library at the United  
14          States Interests Section in Cuba primarily  
15          for use by dissidents and democracy activ-  
16          ists in Cuba.

17               (2) CAPITAL INVESTMENT FUND.—For “Cap-  
18          ital Investment Fund” of the Department of State,  
19          \$210,000,000 for the fiscal year 2002 and such  
20          sums as may be necessary for the fiscal year 2003.

21               (3) EMBASSY SECURITY, CONSTRUCTION AND  
22          MAINTENANCE.—In addition to amounts otherwise  
23          authorized to be appropriated for “Embassy Secu-  
24          rity, Construction and Maintenance” by section 604  
25          of the Admiral James W. Nance and Meg Donovan

1 Foreign Relations Authorization Act, Fiscal Years  
2 2000 and 2001 (section 604 of division A of H.R.  
3 3427, as enacted into law by section 1000(a)(7) of  
4 Public Law 106–113; appendix G; 113 Stat. 1501A–  
5 470), there are authorized to be appropriated for  
6 “Embassy Security, Construction and Maintenance”,  
7 \$475,046,000 for the fiscal year 2002 and such  
8 sums as may be necessary for the fiscal year 2003.

9 (4) REPRESENTATION ALLOWANCES.—For  
10 “Representation Allowances”, \$9,000,000 for the  
11 fiscal year 2002 and \$9,000,000 for the fiscal year  
12 2003.

13 (5) EMERGENCIES IN THE DIPLOMATIC AND  
14 CONSULAR SERVICE.—For “Emergencies in the Dip-  
15 lomatic and Consular Service”, \$15,500,000 for the  
16 fiscal year 2002 and \$15,500,000 for the fiscal year  
17 2003.

18 (6) OFFICE OF THE INSPECTOR GENERAL.—  
19 For “Office of the Inspector General”, \$29,264,000  
20 for the fiscal year 2002 and such sums as may be  
21 necessary for the fiscal year 2003.

22 (7) PAYMENT TO THE AMERICAN INSTITUTE IN  
23 TAIWAN.—For “Payment to the American Institute  
24 in Taiwan”, \$17,044,000 for the fiscal year 2002



1 and such sums as may be necessary for the fiscal  
2 year 2003.

3 (8) PROTECTION OF FOREIGN MISSIONS AND  
4 OFFICIALS.—

5 (A) AMOUNTS AUTHORIZED TO BE APPRO-  
6 PRIATED.—For “Protection of Foreign Missions  
7 and Officials”, \$10,000,000 for the fiscal year  
8 2002 and \$10,000,000 for the fiscal year 2003.

9 (B) AVAILABILITY OF FUNDS.—Each  
10 amount appropriated pursuant to this para-  
11 graph is authorized to remain available through  
12 September 30 of the fiscal year following the  
13 fiscal year for which the amount was appro-  
14 priated.

15 (9) REPATRIATION LOANS.—For “Repatriation  
16 Loans”, \$1,219,000 for the fiscal year 2002 and  
17 \$1,219,000 for the fiscal year 2003, for administra-  
18 tive expenses.

19 **SEC. 102. INTERNATIONAL COMMISSIONS.**

20 The following amounts are authorized to be appro-  
21 priated under “International Commissions” for the De-  
22 partment of State to carry out the authorities, functions,  
23 duties, and responsibilities in the conduct of the foreign  
24 affairs of the United States and for other purposes author-  
25 ized by law:

1           (1) INTERNATIONAL BOUNDARY AND WATER  
2 COMMISSION, UNITED STATES AND MEXICO.—For  
3 “International Boundary and Water Commission,  
4 United States and Mexico”—

5           (A) for “Salaries and Expenses”,  
6 \$7,452,000 for the fiscal year 2002 and such  
7 sums as may be necessary for the fiscal year  
8 2003; and

9           (B) for “Construction”, \$25,654,000 for  
10 the fiscal year 2002 and such sums as may be  
11 necessary for the fiscal year 2003.

12          (2) INTERNATIONAL BOUNDARY COMMISSION,  
13 UNITED STATES AND CANADA.—For “International  
14 Boundary Commission, United States and Canada”,  
15 \$989,000 for the fiscal year 2002 and such sums as  
16 may be necessary for the fiscal year 2003.

17          (3) INTERNATIONAL JOINT COMMISSION.—For  
18 “International Joint Commission”, \$7,282,000 for  
19 the fiscal year 2002 and such sums as may be nec-  
20 essary for the fiscal year 2003.

21          (4) INTERNATIONAL FISHERIES COMMIS-  
22 SIONS.—For “International Fisheries Commissions”,  
23 \$19,780,000 for the fiscal year 2002 and such sums  
24 as may be necessary for the fiscal year 2003.

1 **SEC. 103. UNITED STATES EDUCATIONAL AND CULTURAL**  
2 **PROGRAMS.**

3       The following amounts are authorized to be appro-  
4 priated for the Department of State to carry out inter-  
5 national activities and educational and cultural exchange  
6 programs under the United States Information and Edu-  
7 cational Exchange Act of 1948, the Mutual Educational  
8 and Cultural Exchange Act of 1961, Reorganization Plan  
9 Number 2 of 1977, the Center for Cultural and Technical  
10 Interchange Between East and West Act of 1960, the  
11 Dante B. Fascell North-South Center Act of 1991, and  
12 the National Endowment for Democracy Act, and to carry  
13 out other authorities in law consistent with such purposes:

14               (1) EDUCATIONAL AND CULTURAL EXCHANGE  
15       PROGRAMS.—

16                       (A) FULBRIGHT ACADEMIC EXCHANGE  
17       PROGRAMS.—

18                               (i) IN GENERAL.—For the “Fulbright  
19       Academic Exchange Programs” (other  
20       than programs described in subparagraph  
21       (B)), \$125,000,000 for the fiscal year  
22       2002 and such sums as may be necessary  
23       for the fiscal year 2003.

24                               (ii) NEW CENTURY SCHOLARS INITIA-  
25       TIVE—HIV/AIDS.—Of the amounts author-  
26       ized to be appropriated under clause (i), up

1 to \$1,000,000 for the fiscal year 2002 and  
2 up to \$1,000,000 for the fiscal year 2003  
3 are authorized to be available only for  
4 HIV/AIDS research and mitigation strate-  
5 gies under the Health Issues in a Border-  
6 Less World academic program of the New  
7 Century Scholars Initiative.

8 (B) OTHER EDUCATIONAL AND CULTURAL  
9 EXCHANGE PROGRAMS.—

10 (i) IN GENERAL.—For other edu-  
11 cational and cultural exchange programs  
12 authorized by law, \$117,000,000 for the  
13 fiscal year 2002 and such sums as may be  
14 necessary for the fiscal year 2003.

15 (ii) SOUTH PACIFIC EXCHANGES.—Of  
16 the amounts authorized to be appropriated  
17 under clause (i), \$750,000 for the fiscal  
18 year 2002 and \$750,000 for the fiscal year  
19 2003 are authorized to be available for  
20 “South Pacific Exchanges”.

21 (iii) EAST TIMORESE SCHOLAR-  
22 SHIPS.—Of the amounts authorized to be  
23 appropriated under clause (i), \$500,000  
24 for the fiscal year 2002 and \$500,000 for  
25 the fiscal year 2003 are authorized to be

1 available for “East Timorese Scholar-  
2 ships”.

3 (iv) TIBETAN EXCHANGES.—Of the  
4 amounts authorized to be appropriated  
5 under clause (i), \$500,000 for the fiscal  
6 year 2002 and \$500,000 for the fiscal year  
7 2003 are authorized to be available for  
8 “Ngawang Choephel Exchange Programs”  
9 (formerly known as educational and cul-  
10 tural exchanges with Tibet) under section  
11 103(a) of the Human Rights, Refugee, and  
12 Other Foreign Relations Provisions Act of  
13 1996 (Public Law 104–319).

14 (v) AFRICAN EXCHANGES.—Of the  
15 amounts authorized to be appropriated  
16 under clause (i), \$500,000 for the fiscal  
17 year 2002 and \$500,000 for the fiscal year  
18 2003 are authorized to be available only  
19 for “Educational and Cultural Exchanges  
20 with Sub-Saharan Africa”.

21 (vi) ISRAEL-ARAB PEACE PARTNERS  
22 PROGRAM.—Of the amounts authorized to  
23 be appropriated under clause (i), \$750,000  
24 for the fiscal year 2002 and \$750,000 for  
25 the fiscal year 2003 are authorized to be

1 available only for people-to-people activities  
2 (with a focus on young people) to support  
3 the Middle East peace process involving  
4 participants from Israel, the Palestinian  
5 Authority, Arab countries, and the United  
6 States, to be known as the “Israel-Arab  
7 Peace Partners Program”.

8 (vii) SUDANESE SCHOLARSHIPS.—Of  
9 the amounts authorized to be appropriated  
10 under clause (i), \$500,000 for the fiscal  
11 year 2002 and \$500,000 for the fiscal year  
12 2003 are authorized to be available only  
13 for scholarships for students from southern  
14 Sudan for secondary or postsecondary edu-  
15 cation in the United States, to be known  
16 as “Sudanese Scholarships”.

17 (2) NATIONAL ENDOWMENT FOR DEMOC-  
18 RACY.—For the “National Endowment for Democ-  
19 racy”, \$36,000,000 for the fiscal year 2002 and  
20 \$40,000,000 for the fiscal year 2003.

21 (3) REAGAN-FASCELL DEMOCRACY FELLOWS.—  
22 For a fellowship program, to be known as the  
23 “Reagan-Fascell Democracy Fellows”, for democ-  
24 racy activists and scholars from around the world at  
25 the International Forum for Democratic Studies in

1 Washington, D.C., to study, write, and exchange  
2 views with other activists and scholars and with  
3 Americans, \$1,000,000 for the fiscal year 2002 and  
4 \$1,000,000 for the fiscal year 2003.

5 (4) DANTE B. FASCELL NORTH-SOUTH CEN-  
6 TER.—For “Dante B. Fascell North-South Center”  
7 \$4,000,000 for the fiscal year 2002 and \$4,000,000  
8 for the fiscal year 2003.

9 (5) CENTER FOR CULTURAL AND TECHNICAL  
10 INTERCHANGE BETWEEN EAST AND WEST.—For the  
11 “Center for Cultural and Technical Interchange be-  
12 tween East and West”, \$13,500,000 for the fiscal  
13 year 2002 and \$13,500,000 for the fiscal year 2003.

14 **SEC. 104. CONTRIBUTIONS TO INTERNATIONAL ORGANIZA-**  
15 **TIONS.**

16 (a) AUTHORIZATION OF APPROPRIATIONS.—

17 (1) IN GENERAL.—There are authorized to be  
18 appropriated under the heading “Contributions to  
19 International Organizations” \$878,767,000 for the  
20 fiscal year 2002 and such sums as may be necessary  
21 for the fiscal year 2003 for the Department of State  
22 to carry out the authorities, functions, duties, and  
23 responsibilities in the conduct of the foreign affairs  
24 of the United States with respect to international or-

1 organizations and to carry out other authorities in law  
2 consistent with such purposes.

3 (2) AVAILABILITY OF FUNDS FOR CIVIL BUDG-  
4 ET OF NATO.—Of the amounts authorized to be ap-  
5 propriated under the heading “Contributions to  
6 International Organizations” for fiscal year 2002  
7 and for each fiscal year thereafter such sums as may  
8 be necessary are authorized for the United States  
9 assessment for the civil budget of the North Atlantic  
10 Treaty Organization.

11 (b) PROHIBITION ON FUNDING OTHER FRAMEWORK  
12 TREATY-BASED ORGANIZATIONS.—None of the funds  
13 made available for the 2002–2003 biennium budget under  
14 subsection (a) for United States contributions to the reg-  
15 ular budget of the United Nations shall be available for  
16 the United States proportionate share of any other frame-  
17 work treaty-based organization, including the Framework  
18 Convention on Global Climate Change, the International  
19 Seabed Authority, and the International Criminal Court.

20 (c) FOREIGN CURRENCY EXCHANGE RATES.—

21 (1) AUTHORIZATION OF APPROPRIATIONS.—In  
22 addition to amounts authorized to be appropriated  
23 by subsection (a), there are authorized to be appro-  
24 priated such sums as may be necessary for each of



1       fiscal years 2002 and 2003 to offset adverse fluctua-  
2       tions in foreign currency exchange rates.

3           (2) AVAILABILITY OF FUNDS.—Amounts appro-  
4       priated under this subsection shall be available for  
5       obligation and expenditure only to the extent that  
6       the Director of the Office of Management and Budg-  
7       et determines and certifies to Congress that such  
8       amounts are necessary due to such fluctuations.

9       (d) REFUND OF EXCESS CONTRIBUTIONS.—The  
10      United States shall continue to insist that the United Na-  
11      tions and its specialized and affiliated agencies shall credit  
12      or refund to each member of the agency concerned its pro-  
13      portionate share of the amount by which the total con-  
14      tributions to the agency exceed the expenditures of the  
15      regular assessed budgets of these agencies.

16   **SEC. 105. CONTRIBUTIONS FOR INTERNATIONAL PEACE-**  
17                   **KEEPING ACTIVITIES.**

18       There are authorized to be appropriated under the  
19      heading “Contributions for International Peacekeeping  
20      Activities” \$844,139,000 for the fiscal year 2002 and such  
21      sums as may be necessary for the fiscal year 2003 for  
22      the Department of State to carry out the authorities, func-  
23      tions, duties, and responsibilities in the conduct of the for-  
24      eign affairs of the United States with respect to inter-

1 national peacekeeping activities and to carry out other au-  
2 thorities in law consistent with such purposes.

3 **SEC. 106. GRANTS TO THE ASIA FOUNDATION.**

4 Section 404 of The Asia Foundation Act (title IV of  
5 Public Law 98–164; 22 U.S.C. 4403) is amended to read  
6 as follows:

7 “SEC. 404. There are authorized to be appropriated  
8 to the Secretary of State \$15,000,000 for the fiscal year  
9 2002 and \$15,000,000 for the fiscal year 2003 for grants  
10 to The Asia Foundation pursuant to this title.”.

11 **SEC. 107. VOLUNTARY CONTRIBUTIONS TO INTER-**  
12 **NATIONAL ORGANIZATIONS.**

13 (a) AUTHORIZATION OF APPROPRIATIONS.—There  
14 are authorized to be appropriated for the Department of  
15 State for “Voluntary Contributions to International Orga-  
16 nizations”, \$186,000,000 for the fiscal year 2002 and  
17 such sums as may be necessary for the fiscal year 2003.

18 (b) LIMITATIONS ON AUTHORIZATIONS OF APPRO-  
19 PRIATIONS.—

20 (1) WORLD FOOD PROGRAM.—Of the amounts  
21 authorized to be appropriated under subsection (a),  
22 \$5,000,000 for the fiscal year 2002 and \$5,000,000  
23 for the fiscal year 2003 are authorized to be appro-  
24 priated only for a United States contribution to the  
25 World Food Program.

1           (2) UNITED NATIONS VOLUNTARY FUND FOR  
2 VICTIMS OF TORTURE.—Of the amounts authorized  
3 to be appropriated under subsection (a), \$5,000,000  
4 for the fiscal year 2002 and \$5,000,000 for the fis-  
5 cal year 2003 are authorized to be appropriated only  
6 for a United States contribution to the United Na-  
7 tions Voluntary Fund for Victims of Torture.

8           (3) ORGANIZATION OF AMERICAN STATES.—Of  
9 the amounts authorized to be appropriated under  
10 subsection (a), \$240,000 for the fiscal year 2002  
11 and \$240,000 for the fiscal year 2003 are author-  
12 ized to be appropriated only for a United States con-  
13 tribution to the Organization of American States for  
14 the Office of the Special Rapporteur for Freedom of  
15 Expression in the Western Hemisphere, solely for  
16 the purpose of conducting investigations, including  
17 field visits, to establish a network of nongovern-  
18 mental organizations, and to hold hemispheric con-  
19 ferences, of which \$6,000 for each fiscal year is au-  
20 thorized to be appropriated only for the investigation  
21 and dissemination of information on violations of  
22 freedom of expression by the Government of Cuba,  
23 \$6,000 for each fiscal year is authorized to be ap-  
24 propriated only for the investigation and dissemina-  
25 tion of information on violations of freedom of ex-

pression by the Government of Peru, \$6,000 for each fiscal year is authorized to be appropriated only for the investigation and dissemination of information on violations of freedom of expression by the Government of Colombia, and \$6,000 for each fiscal year is authorized to be appropriated only for the investigation and dissemination of information on violations of freedom of expression by the Government of Haiti.

(c) RESTRICTIONS ON UNITED STATES VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS DEVELOPMENT PROGRAM.—

(1) LIMITATION.—Of the amounts made available under subsection (a) for each of the fiscal years 2002 and 2003 for United States voluntary contributions to the United Nations Development Program an amount equal to the amount the United Nations Development Program will spend in Burma during each fiscal year shall be withheld unless during such fiscal year the Secretary of State submits to the appropriate congressional committees the certification described in paragraph (2).

(2) CERTIFICATION.—The certification referred to in paragraph (1) is a certification by the Secretary of State that all programs and activities of

1 the United Nations Development Program (including  
2 United Nations Development Program—Adminis-  
3 tered Funds) in Burma—

4 (A) are focused on eliminating human suf-  
5 fering and addressing the needs of the poor;

6 (B) are undertaken only through inter-  
7 national or private voluntary organizations that  
8 have been deemed independent of the State  
9 Peace and Development Council (SPDC) (for-  
10 merly known as the State Law and Order Res-  
11 toration Council (SLORC)), after consultation  
12 with the leadership of the National League for  
13 Democracy and the leadership of the National  
14 Coalition Government of the Union of Burma;

15 (C) provide no financial, political, or mili-  
16 tary benefit to the SPDC; and

17 (D) are carried out only after consultation  
18 with the leadership of the National League for  
19 Democracy and the leadership of the National  
20 Coalition Government of the Union of Burma.

21 (d) UNICEF.—There is authorized to be appro-  
22 priated \$120,000,000 for the fiscal year 2002 for a United  
23 States voluntary contribution to UNICEF.

24 (e) ORGANIZATIONS AND PROGRAMS THAT SUPPORT  
25 COERCIVE ABORTION OR INVOLUNTARY STERILIZA-

1 TION.—None of the funds authorized to be appropriated  
 2 by this Act may be made available to any organization  
 3 or program which, as determined by the President of the  
 4 United States, supports, or participates in the manage-  
 5 ment of, a program of coercive abortion or involuntary  
 6 sterilization.

7 (f) AVAILABILITY OF FUNDS.—Amounts authorized  
 8 to be appropriated under subsection (a) are authorized to  
 9 remain available until expended.

10 **SEC. 108. MIGRATION AND REFUGEE ASSISTANCE.**

11 (a) MIGRATION AND REFUGEE ASSISTANCE.—

12 (1) AUTHORIZATION OF APPROPRIATIONS.—

13 There are authorized to be appropriated for the De-  
 14 partment of State for “Migration and Refugee As-  
 15 sistance” for authorized activities, \$817,000,000 for  
 16 the fiscal year 2002 and \$817,000,000 for the fiscal  
 17 year 2003.

18 (2) LIMITATIONS.—

19 (A) TIBETAN REFUGEES IN INDIA AND  
 20 NEPAL.—Of the amounts authorized to be ap-  
 21 propriated in paragraph (1), \$2,000,000 for the  
 22 fiscal year 2002 and \$2,000,000 for the fiscal  
 23 year 2003 are authorized to be available for hu-  
 24 manitarian assistance, including food, medicine,  
 25 clothing, and medical and vocational training,

1 to Tibetan refugees in India and Nepal who  
2 have fled Chinese-occupied Tibet.

3 (B) REFUGEES RESETTLING IN ISRAEL.—

4 Of the amounts authorized to be appropriated  
5 in paragraph (1), \$60,000,000 for the fiscal  
6 year 2002 and \$60,000,000 for the fiscal year  
7 2003 are authorized to be available only for as-  
8 sistance for refugees resettling in Israel from  
9 other countries.

10 (C) HUMANITARIAN ASSISTANCE FOR DIS-

11 PLACED BURMESE.—Of the amounts authorized  
12 to be appropriated in paragraph (1),  
13 \$2,000,000 for the fiscal year 2002 and  
14 \$2,000,000 for the fiscal year 2003 are author-  
15 ized to be available for humanitarian assistance  
16 (including food, medicine, clothing, and medical  
17 and vocational training) to persons displaced as  
18 a result of civil conflict in Burma, including  
19 persons still within Burma.

20 (b) AVAILABILITY OF FUNDS.—Funds appropriated

21 pursuant to this section are authorized to remain available  
22 until expended.

1 **Subtitle B—United States Inter-**  
2 **national Broadcasting Activities**

3 **SEC. 121. AUTHORIZATIONS OF APPROPRIATIONS.**

4 (a) IN GENERAL.—The following amounts are au-  
5 thorized to be appropriated to carry out the United States  
6 International Broadcasting Act of 1994, the Radio Broad-  
7 casting to Cuba Act, and the Television Broadcasting to  
8 Cuba Act, and to carry out other authorities in law con-  
9 sistent with such purposes:

10 (1) INTERNATIONAL BROADCASTING OPER-  
11 ATIONS.—

12 (A) IN GENERAL.—For “International  
13 Broadcasting Operations”, \$428,234,000 for  
14 the fiscal year 2002, and such sums as may be  
15 necessary for the fiscal year 2003.

16 (B) LIMITATIONS.—

17 (i) TRANSMISSION FACILITIES IN  
18 BELIZE.—Of the amounts authorized to be  
19 appropriated under subparagraph (A),  
20 \$750,000 for the fiscal year 2002 is au-  
21 thorized to be appropriated only for en-  
22 hancements of the transmission facilities in  
23 Belize.

24 (ii) BROADCASTING TO CUBA.—Of the  
25 amounts authorized to be appropriated



1 under subparagraph (A), \$25,000,000 for  
2 the fiscal year 2002 and \$25,000,000 for  
3 the fiscal year 2003 are authorized to be  
4 appropriated only for “Broadcasting to  
5 Cuba”.

6 (iii) RADIO FREE ASIA.—Of the  
7 amounts authorized to be appropriated  
8 under subparagraph (A), \$30,000,000 for  
9 the fiscal year 2002 and \$30,000,000 for  
10 the fiscal year 2003 are authorized to be  
11 appropriated only for “Radio Free Asia”.

12 (2) BROADCASTING CAPITAL IMPROVE-  
13 MENTS.—For “Broadcasting Capital Improve-  
14 ments”, \$16,900,000 for the fiscal year 2002 and  
15 such sums as may be necessary for the fiscal year  
16 2003.

17 (b) CONTINUATION OF ADDITIONAL AUTHORIZATION  
18 FOR BROADCASTING TO THE PEOPLE’S REPUBLIC OF  
19 CHINA AND NEIGHBORING COUNTRIES.—Section 701 of  
20 Public Law 106–286 (22 U.S.C. 7001) is amended—

21 (1) in subsection (a) by striking “2001” and in-  
22 serting “2002”; and

23 (2) in subsection (b)(1) by striking “2001 and  
24 2002” and inserting “2001, 2002, and 2003”.

1 (c) ADDITIONAL AUTHORIZATION OF APPROPRIA-  
 2 TIONS FOR MIDDLE EAST RADIO NETWORK OF VOICE OF  
 3 AMERICA.—In addition to such amounts as are made  
 4 available for the Middle East Radio Network of Voice of  
 5 America pursuant to the authorization of appropriations  
 6 under subsection (a), there is authorized to be appro-  
 7 priated \$15,000,000 for the fiscal year 2002 for the Mid-  
 8 dle East Radio Network of Voice of America.

9 **TITLE II—AUTHORITIES AND AC-**  
 10 **TIVITIES OF THE DEPART-**  
 11 **MENT OF STATE**

12 **Subtitle A—Basic Authorities and**  
 13 **Activities**

14 **SEC. 201. CONTINUATION OF REPORTING REQUIREMENTS.**

15 (a) REPORTS ON CLAIMS BY UNITED STATES FIRMS  
 16 AGAINST THE GOVERNMENT OF SAUDI ARABIA.—Section  
 17 2801(b)(1) of the Foreign Affairs Reform and Restruc-  
 18 turing Act of 1998 (as enacted by division G of the Omni-  
 19 bus Consolidated and Emergency Supplemental Appro-  
 20 priations Act, 1999; Public Law 105–277) is amended by  
 21 striking “seventh” and inserting “eleventh”.

22 (b) REPORTS ON DETERMINATIONS UNDER TITLE  
 23 IV OF THE LIBERTAD ACT.—Section 2802(a) of the For-  
 24 eign Affairs Reform and Restructuring Act of 1998 (as  
 25 enacted by division G of the Omnibus Consolidated and

1 Emergency Supplemental Appropriations Act, 1999; Pub-  
 2 lic Law 105–277) is amended by striking “September 30,  
 3 2001,” and inserting “September 30, 2003,”.

4 (c) RELATIONS WITH VIETNAM.—Section 2805 of  
 5 the Foreign Affairs Reform and Restructuring Act of  
 6 1998 (as enacted by division G of the Omnibus Consoli-  
 7 dated and Emergency Supplemental Appropriations Act,  
 8 1999; Public Law 105–277) is amended by striking “Sep-  
 9 tember 30, 2001,” and inserting “September 30, 2003,”.

10 (d) REPORTS ON BALLISTIC MISSILE COOPERATION  
 11 WITH RUSSIA.—Section 2705(d) of the Foreign Affairs  
 12 Reform and Restructuring Act of 1998 (as enacted by di-  
 13 vision G of the Omnibus Consolidated and Emergency  
 14 Supplemental Appropriations Act, 1999; Public Law 105–  
 15 277) is amended by striking “and January 1, 2001,” and  
 16 inserting “January 1, 2001, January 1, 2002, and Janu-  
 17 ary 1, 2003”.

18 **SEC. 202. CONTINUATION OF OTHER REPORTS.**

19 (a) SEMIANNUAL REPORTS ON UNITED STATES  
 20 SUPPORT FOR MEMBERSHIP OR PARTICIPATION OF  
 21 TAIWAN IN INTERNATIONAL ORGANIZATIONS.—Sec-  
 22 tion 704(a) of the Admiral James W. Nance and  
 23 Meg Donovan Foreign Relations Authorization Act,  
 24 Fiscal Years 2000 and 2001 (section 704(a) of divi-  
 25 sion A of H.R. 3427, as enacted into law by section

1 1000(a)(7) of Public Law 106–113, appendix G;  
2 113 Stat. 1501A–460) is amended by striking “and  
3 2001,” and inserting “2001, 2002, and 2003,”.

4 (b) REPORT ON TERRORIST ACTIVITY IN  
5 WHICH UNITED STATES CITIZENS WERE KILLED  
6 AND RELATED MATTERS.—Section 805(a) of the  
7 Admiral James W. Nance and Meg Donovan For-  
8 eign Relations Authorization Act, Fiscal Years 2000  
9 and 2001 (section 805(a) of division A of H.R.  
10 3427, as enacted into law by section 1000(a)(7) of  
11 Public Law 106–113; appendix G; 113 Stat. 1501A–  
12 470) is amended by striking “October 1, 2001,” and  
13 inserting “October 1, 2003,”.

14 **SEC. 203. REPORT CONCERNING ELIMINATION OF COLOM-**  
15 **BIAN OPIUM.**

16 (a) FINDINGS.—The Congress makes the following  
17 findings:

18 (1) There is a growing heroin crisis in the  
19 United States resulting from increasingly cheap,  
20 pure, and deadly heroin flooding into this country,  
21 much of it from Colombia.

22 (2) Interdicting heroin entering the United  
23 States is difficult, in part because it can be traf-  
24 ficked in such small quantities.

1           (3) Destruction of opium, from which heroin is  
2       derived, at its source in Colombia is traditionally one  
3       of the best strategies to combat the heroin crisis ac-  
4       cording to Federal law enforcement officials.

5       (b) REPORT TO CONGRESS.—Not later than 60 days  
6       after the date of the enactment of this Act, the Secretary  
7       of State, through the Bureau of International Narcotics  
8       and Law Enforcement, shall submit to the Congress a re-  
9       port which outlines a comprehensive strategy to address  
10      the crisis of heroin in the United States due to opium orig-  
11      inating from Colombia including destruction of opium at  
12      its source.

13   **SEC. 204. REPEAL OF PROVISION REGARDING HOUSING**  
14                   **FOR FOREIGN AGRICULTURAL ATTACHE.**

15       Section 738 of the Agriculture, Rural Development,  
16      Food and Drug Administration, and Related Agencies Ap-  
17      propriations Act, 2001 (as enacted into law by Public Law  
18      106–387; 114 Stat. 1549A–34) is repealed.

19   **SEC. 205. HUMAN RIGHTS MONITORING.**

20       Funds authorized to be appropriated for the Bureau  
21      of Democracy, Human Rights, and Labor pursuant to sec-  
22      tion 101(1)(B)(ii) are authorized to be available to fund  
23      positions at United States posts abroad that are primarily  
24      responsible for following human rights developments in  
25      foreign countries and that are assigned at the rec-

1 commendation of such bureau in conjunction with the rel-  
 2 evant regional bureau.

3 **SEC. 206. CORRECTION OF FISHERMEN'S PROTECTIVE ACT**  
 4 **OF 1967.**

5 Section 7(a)(3) of the Fishermen's Protective Act of  
 6 1967 (22 U.S.C. 1977(A)(3)) is amended by striking  
 7 "Secretary of Commerce" and inserting "Secretary of  
 8 State".

9 **SEC. 207. INTERNATIONAL LITIGATION FUND.**

10 Section 38 of the State Department Basic Authorities  
 11 Act of 1956 (22 U.S.C. 2710) is amended by adding at  
 12 the end the following new subsection:

13 "(e) RETENTION OF FUNDS.—

14 "(1) IN GENERAL.—To reimburse the expenses  
 15 of the United States Government in preparing or  
 16 prosecuting a claim against a foreign government or  
 17 other foreign entity, the Secretary of State shall re-  
 18 tain 1.5 percent of any amount between \$100,000  
 19 and \$5,000,000, and one percent of any amount  
 20 over \$5,000,000, received per claim under chapter  
 21 34 of the Act of February 27, 1896 (22 U.S.C.  
 22 2668a; 29 Stat. 32).

23 "(2) TREATMENT.—Amounts retained under  
 24 the authority of paragraph (1) shall be deposited  
 25 into the fund under subsection (d).".

1 **SEC. 208. EMERGENCY EVACUATION SERVICES.**

2 Section 4(b)(2)(A) of the State Department Basic  
3 Authorities Act of 1956 (22 U.S.C. 2671(b)(2)(A)) is  
4 amended to read as follows:

5 “(A) the evacuation when their lives are endan-  
6 gered by war, civil unrest, or natural disaster of (i)  
7 United States Government employees and their de-  
8 pendants, and (ii) private United States citizens or  
9 third-country nationals, on a reimbursable basis to  
10 the extent feasible, with such reimbursements to be  
11 credited to the applicable Department of State ap-  
12 propriation and to remain available until expended.  
13 No reimbursement shall be required which is greater  
14 than the amount the person evacuated would have  
15 been charged for a commercial air fare at the lowest  
16 rate available immediately prior to the onset of the  
17 war, civil unrest, or natural disaster giving rise to  
18 the evacuation.”.

19 **SEC. 209. WITHHOLDING OF FUNDING UNTIL SUBMISSION**  
20 **OF REPORT ON CUBAN EMIGRATION POLI-**  
21 **CIES.**

22 (a) IN GENERAL.—Notwithstanding any other provi-  
23 sion of law, none of the funds authorized to be appro-  
24 priated by this Act are authorized to be made available  
25 for the operation of the United States Interests Section  
26 in Cuba and the Office of Cuban Affairs of the Depart-

1 ment of State until the Department of State is in compli-  
 2 ance with section 2245 of the Foreign Relations Author-  
 3 ization Act, Fiscal Years 1998 and 1999 (division G of  
 4 Public Law 105–277).

5 (b) EFFECTIVE DATE.—Subsection (a) shall take ef-  
 6 fect 60 days after the date of the enactment of this Act.

7 **SEC. 210. IMPLEMENTATION OF THE INTERCOUNTRY ADOPT-**  
 8 **ION ACT OF 2000.**

9 The Secretary of State, acting through the Assistant  
 10 Secretary of State for Consular Affairs, shall consult with  
 11 the appropriate congressional committees on a regular  
 12 basis on the implementation of the Intercountry Adoption  
 13 Act of 2000 (Public Law 106–279; 42 U.S.C. 14901 et  
 14 seq.).

15 **SEC. 211. REPORT CONCERNING THE EFFECT OF PLAN CO-**  
 16 **LOMBIA ON ECUADOR.**

17 (a) FINDINGS.— The Congress makes the following  
 18 findings:

19 (1) There is a growing alarm concerning the  
 20 spillover effect of Plan Colombia on Ecuador, a  
 21 frontline state. The northern region of Ecuador, in-  
 22 cluding the Sucumbios province, is an area of par-  
 23 ticular concern. It faces the Colombian Putumayo  
 24 zone, where there is no presence of military or law  
 25 enforcement personnel.



1           (2) Activities relating to the implementation of  
2     Plan Colombia have resulted in incursions on Ecu-  
3     dorian territory by drug traffickers and guerrilla and  
4     paramilitary groups from Colombia and a concomi-  
5     tant increase in the levels of violence and delin-  
6     quency. Recent kidnappings of American and other  
7     foreign nationals, as well as discoveries of clandes-  
8     tine cocaine laboratories, are especially troublesome.

9           (3) Ecuador is receiving an influx of Colombian  
10    refugees and its own indigenous communities have  
11    been displaced from their ancestral villages.

12          (4) Ecuador has demonstrated its moral and  
13    political commitment in the fight against drugs. The  
14    agreement signed in November 1999 with the  
15    United States to establish a forward operating loca-  
16    tion in Manta is a clear sign of this active stance.

17          (5) Ecuador is implementing a comprehensive  
18    program aimed at reinforcing its security mecha-  
19    nisms in the northern border, as well as converting  
20    the area into a buffer zone of peace and develop-  
21    ment.

22          (b) REPORT TO CONGRESS.— Not later than 60 days  
23    after the date of enactment of this Act, the Secretary of  
24    State, through the Bureau of International Narcotics and  
25    Law Enforcement, shall submit to Congress a report

1 which outlines a comprehensive strategy to address the  
 2 spillover effect of Plan Colombia on Ecuador.

### 3 **Subtitle B—Consular Authorities**

#### 4 **SEC. 231. MACHINE READABLE VISAS.**

5 Section 140(a) of the Foreign Relations Authoriza-  
 6 tion Act, Fiscal Years 1994 and 1995 (8 U.S.C. 1351  
 7 note) is amended in the first sentence of paragraph (3)—

8 (1) by striking “2001, and 2002,” and insert-  
 9 ing “2001, 2002, and 2003,”; and

10 (2) by striking “and \$316,715,000 for fiscal  
 11 year 2002” and inserting “\$414,000,000 for fiscal  
 12 year 2002, and \$422,000,000 for fiscal year 2003,”.

#### 13 **SEC. 232. ESTABLISHMENT OF A CONSULAR BRANCH OF-** 14 **FICE IN LHASA, TIBET.**

15 The Secretary of State shall make best efforts to es-  
 16 tablish a branch office in Lhasa, Tibet, of the United  
 17 States Consulate General in Chengdu, People’s Republic  
 18 of China, to monitor political, economic, and cultural de-  
 19 velopments in Tibet.

#### 20 **SEC. 233. ESTABLISHMENT OF A DIPLOMATIC OR CON-** 21 **SULAR POST IN EQUATORIAL GUINEA.**

22 The Secretary of State shall establish a diplomatic  
 23 or consular post in Equatorial Guinea.

1 **SEC. 234. PROCESSING OF VISA APPLICATIONS.**

2       It shall be the policy of the Department of State to  
3 process immigrant visa applications of immediate relatives  
4 of United States citizens and nonimmigrant K–1 visa ap-  
5 plications of fiances of United States citizens within 30  
6 days of the receipt of all necessary documents from the  
7 applicant and the Immigration and Naturalization Service.  
8 In the case of an immigrant visa application where the  
9 sponsor of such applicant is a relative other than an imme-  
10 diate relative, it should be the policy of the Department  
11 of State to process such an application within 60 days of  
12 the receipt of all necessary documents from the applicant  
13 and the Immigration and Naturalization Service.

14 **SEC. 235. UNITED STATES POLICY WITH RESPECT TO JERU-**  
15 **SALEM AS THE CAPITAL OF ISRAEL.**

16       (a) CONGRESSIONAL STATEMENT OF POLICY.—The  
17 Congress maintains its commitment to relocating the  
18 United States Embassy in Israel to Jerusalem and urges  
19 the President, pursuant to the Jerusalem Embassy Act  
20 of 1995 (Public Law 104–45; 109 Stat. 398), to imme-  
21 diately begin the process of relocating the United States  
22 Embassy in Israel to Jerusalem.

23       (b) LIMITATION ON USE OF FUNDS FOR CONSULATE  
24 IN JERUSALEM.—None of the funds authorized to be ap-  
25 propriated by this Act may be expended for the operation  
26 of a United States consulate or diplomatic facility in Jeru-

1 salem unless such consulate or diplomatic facility is under  
 2 the supervision of the United States Ambassador to Israel.

3 (c) LIMITATION ON USE OF FUNDS FOR PUBLICA-  
 4 TIONS.—None of the funds authorized to be appropriated  
 5 by this Act may be available for the publication of any  
 6 official government document which lists countries and  
 7 their capital cities unless the publication identifies Jeru-  
 8 salem as the capital of Israel.

9 (d) RECORD OF PLACE OF BIRTH AS ISRAEL FOR  
 10 PASSPORT PURPOSES.—For purposes of the registration  
 11 of birth, certification of nationality, or issuance of a pass-  
 12 port of a United States citizen born in the city of Jeru-  
 13 salem, the Secretary of State shall, upon the request of  
 14 the citizen or the citizen’s legal guardian, record the place  
 15 of birth as Israel.

## 16 **Subtitle C—Migration and** 17 **Refugees**

### 18 **SEC. 251. UNITED STATES POLICY REGARDING THE INVOL-** 19 **UNTARY RETURN OF REFUGEES.**

20 (a) IN GENERAL.—None of the funds made available  
 21 by this Act or by section 2(c) of the Migration and Ref-  
 22 ugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be  
 23 available to effect the involuntary return by the United  
 24 States of any person to a country in which the person has  
 25 a well-founded fear of persecution on account of race, reli-

1 gion, nationality, membership in a particular social group,  
2 or political opinion, except on grounds recognized as pre-  
3 cluding protection as a refugee under the United Nations  
4 Convention Relating to the Status of Refugees of July 28,  
5 1951, and the Protocol Relating to the Status of Refugees  
6 of January 31, 1967, subject to the reservations contained  
7 in the United States Senate Resolution of Ratification.

8 (b) MIGRATION AND REFUGEE ASSISTANCE.—None  
9 of the funds made available by this Act or by section 2(c)  
10 of the Migration and Refugee Assistance Act of 1962 (22  
11 U.S.C. 2601(c)) shall be available to effect the involuntary  
12 return of any person to any country unless the Secretary  
13 of State first notifies the appropriate congressional com-  
14 mittees, except that in the case of an emergency involving  
15 a threat to human life the Secretary of State shall notify  
16 the appropriate congressional committees as soon as prac-  
17 ticable.

18 (c) INVOLUNTARY RETURN DEFINED.—As used in  
19 this section, the term “to effect the involuntary return”  
20 means to require, by means of physical force or cir-  
21 cumstances amounting to a threat thereof, a person to re-  
22 turn to a country against the person’s will, regardless of  
23 whether the person is physically present in the United  
24 States and regardless of whether the United States acts  
25 directly or through an agent.

1 **SEC. 252. REPORT ON OVERSEAS REFUGEE PROCESSING.**

2 (a) REPORT ON OVERSEAS REFUGEE PROCESSING.—

3 Not later than 90 days after the date of the enactment  
4 of this Act, the Secretary shall provide to the appropriate  
5 congressional committees a report on overseas processing  
6 of refugees for admission to the United States.

7 (b) CONTENTS.—The report shall include the fol-  
8 lowing detailed information:

9 (1) United States procedures for the identifica-  
10 tion of refugees who are particularly vulnerable or  
11 whose individual circumstances otherwise suggest an  
12 urgent need for resettlement, including the extent to  
13 which the Department now insists on referral by the  
14 United Nations High Commissioner for Refugees as  
15 a prerequisite to consideration of such refugees for  
16 resettlement in the United States, together with a  
17 plan for the expanded use of alternatives to such re-  
18 ferral, including the use of field-based nongovern-  
19 mental organizations to identify refugees in urgent  
20 need of resettlement.

21 (2) The extent to which the Department makes  
22 use in overseas refugee processing of the designation  
23 of groups of refugees who are of special concern to  
24 the United States, together with the reasons for any  
25 decline in such use over the last 10 years and a plan

1       for making more generous use of such categories in  
2       the future.

3           (3) The extent to which the United States cur-  
4       rently provides opportunities for resettlement in the  
5       United States of individuals who are close family  
6       members of citizens or lawful residents of the United  
7       States, together with the reasons for any decline in  
8       the extent of such provision over the last 10 years  
9       and a plan for expansion of such opportunities in  
10      the future.

11          (4) The extent to which opportunities for reset-  
12      tlement in the United States are currently provided  
13      to “urban refugees” and others who do not currently  
14      reside in refugee camps, together with a plan for in-  
15      creasing such opportunities, particularly for refugees  
16      who are in urgent need of resettlement, who are  
17      members of refugee groups of special interest to the  
18      United States, or who are close family members of  
19      United States citizens or lawful residents.

20          (5) The Department’s assessment of the feasi-  
21      bility and desirability of modifying the Department’s  
22      current list of refugee priorities to create an addi-  
23      tional category for refugees whose need for resettle-  
24      ment is based on a long period of residence in a ref-  
25      ugee camp with no immediate prospect of safe and

1 voluntary repatriation to their country of origin or  
2 last permanent residence.

3 (6) The extent to which the Department uses  
4 private voluntary agencies to assist in the identifica-  
5 tion of refugees for admission to the United States,  
6 including the Department's assessment of the advan-  
7 tages and disadvantages of private voluntary agen-  
8 cies, the reasons for any decline in the Department's  
9 use of voluntary agencies over the last 10 years, and  
10 a plan for the expanded use of such agencies.

11 (7) The extent to which the per capita reception  
12 and placement grant to voluntary agencies assisting  
13 in resettlement of refugees has kept up over the last  
14 10 years with the cost to such agencies of providing  
15 such services.

16 (8) An estimate of the cost of each change in  
17 current practice or procedure discussed in the re-  
18 port, together with an estimate of any increase in  
19 the annual refugee admissions ceiling that would be  
20 necessary to implement each change.



1 **TITLE III—ORGANIZATION AND**  
2 **PERSONNEL OF THE DEPART-**  
3 **MENT OF STATE**

4 **Subtitle A—Organizational Matters**

5 **SEC. 301. COMPREHENSIVE WORKFORCE PLAN.**

6 (a) WORKFORCE PLAN.— Not later than 180 days  
7 after the date of the enactment of this Act, the Secretary  
8 of State shall submit to the appropriate congressional  
9 committees a comprehensive workforce plan for the De-  
10 partment of State for the fiscal years 2002 through 2006.  
11 The plan shall consider personnel needs in both the civil  
12 service and the Foreign Service and expected domestic and  
13 overseas personnel allocations. The workforce plan should  
14 set forth the detailed mission of the Department, the defi-  
15 nition of work to be done and cyclical personnel needs  
16 based on expected retirements and the time required to  
17 hire, train, and deploy new personnel.

18 (b) DOMESTIC STAFFING MODEL.— Not later than  
19 one year after the date of the enactment of this Act, the  
20 Secretary of State shall compile and submit to the appro-  
21 priate congressional committees a domestic staffing model  
22 for the Department of State.

23 **SEC. 302. “RIGHTSIZING” OVERSEAS POSTS.**

24 (a) “RIGHTSIZING” AT THE DEPARTMENT OF  
25 STATE.—

1           (1) The Secretary of State shall establish a task  
2           force within the Department of State on the issue of  
3           “rightsizing” overseas posts.

4           (2) PRELIMINARY REPORT.—Not later than 60  
5           days after the date of the enactment of this Act, the  
6           Secretary of State shall submit to the appropriate  
7           congressional committees a report which outlines the  
8           status, plans, and activities of the task force. In ad-  
9           dition to such other information as the Secretary  
10          considers appropriate, the report shall include the  
11          following:

12                   (A) The objectives of the task force.

13                   (B) Measures for achieving the objectives  
14                   under subparagraph (A).

15                   (C) The official of the Department with  
16                   primary responsibility for the issue of  
17                   “rightsizing”.

18                   (D) The plans of the Department for the  
19                   reallocation of staff and resources based on  
20                   changing needs at overseas posts and in the  
21                   metropolitan Washington, D.C. area.

22          (3) PERIODIC REPORTS.—Not later than 6  
23          months after the date of the enactment of this Act,  
24          and every 6 months thereafter during the fiscal  
25          years 2002 and 2003, the Secretary of State shall

1 submit to the appropriate congressional committees  
2 a report reviewing the activities and progress of the  
3 task force established under paragraph (1).

4 (b) INTERAGENCY WORKING GROUP.—

5 (1) ESTABLISHMENT.—The Secretary of State  
6 shall establish an interagency working group on the  
7 issue of “rightsizing” the overseas presence of the  
8 United States Government.

9 (2) PRELIMINARY REPORT.—Not later than 60  
10 days after the date of the enactment of this Act, the  
11 Secretary of State shall submit to the appropriate  
12 congressional committees a report which outlines the  
13 status, plans, and activities of the interagency work-  
14 ing group. In addition to such other information as  
15 the Secretary considers appropriate, the report shall  
16 include the following:

17 (A) The objectives of the working group.

18 (B) Measures for achieving the objectives  
19 under subparagraph (A).

20 (C) The official of each agency with pri-  
21 mary responsibility for the issue of  
22 “rightsizing”.

23 (3) PERIODIC REPORTS.—Not later than 6  
24 months after the date of the enactment of this Act,  
25 and every 6 months thereafter during the fiscal

1       years 2002 and 2003, the Secretary of State shall  
2       submit to the appropriate congressional committees  
3       a report reviewing the activities and progress of the  
4       working group established under paragraph (1).

5   **SEC. 303. QUALIFICATIONS OF CERTAIN OFFICERS OF THE**  
6                   **DEPARTMENT OF STATE.**

7       Section 1 of the State Department Basic Authorities  
8   Act of 1956 (22 U.S.C. 2651a) is amended—

9               (1) by striking subsections (f) and (g); and

10              (2) by inserting after subsection (e) the fol-  
11   lowing new subsection (f):

12       “(f) **QUALIFICATIONS OF CERTAIN OFFICERS OF THE**  
13 **DEPARTMENT OF STATE.—**

14              “(1) **OFFICER HAVING PRIMARY RESPONSI-**  
15 **BILITY FOR PERSONNEL MANAGEMENT.—**The officer  
16 of the Department of State with primary responsi-  
17 bility for assisting the Secretary of State with re-  
18 spect to matters relating to personnel in the Depart-  
19 ment of State, or that officer’s principal deputy,  
20 shall have substantial professional qualifications in  
21 the field of human resource policy and management.

22              “(2) **OFFICER HAVING PRIMARY RESPONSI-**  
23 **BILITY FOR DIPLOMATIC SECURITY.—**The officer of  
24 the Department of State with primary responsibility  
25 for assisting the Secretary of State with respect to

1 diplomatic security, or that officer's principal dep-  
 2 uty, shall have substantial professional qualifications  
 3 in the fields of (A) management, and (B) Federal  
 4 law enforcement, intelligence, or security.

5 “(3) OFFICER HAVING PRIMARY RESPONSI-  
 6 BILITY FOR INTERNATIONAL NARCOTICS AND LAW  
 7 ENFORCEMENT.—The officer of the Department of  
 8 State with primary responsibility for assisting the  
 9 Secretary of State with respect to international nar-  
 10 cotics and law enforcement, or that officer's prin-  
 11 cipal deputy, shall have substantial professional  
 12 qualifications in the fields of management and Fed-  
 13 eral law enforcement.”.

14 **SEC. 304. UNITED STATES SPECIAL COORDINATOR FOR TI-**  
 15 **BETAN ISSUES.**

16 (a) UNITED STATES SPECIAL COORDINATOR FOR TI-  
 17 BETAN ISSUES.—There shall be within the Department of  
 18 State a United States Special Coordinator for Tibetan  
 19 Issues.

20 (b) CONSULTATION.—The Secretary of State shall  
 21 consult with the chairman and ranking minority member  
 22 of the Committee on Foreign Relations of the Senate and  
 23 the Committee on International Relations of the House  
 24 of Representatives prior to the designation of the special  
 25 coordinator.

1       (c) CENTRAL OBJECTIVE.—The central objective of  
2 the special coordinator is to promote substantive dialogue  
3 between the Government of the People’s Republic of China  
4 and the Dalai Lama or his representatives.

5       (d) DUTIES AND RESPONSIBILITIES.—The special co-  
6 ordinator shall—

7           (1) coordinate United States Government poli-  
8 cies, programs, and projects concerning Tibet;

9           (2) vigorously promote the policy of seeking to  
10 protect the distinct religious, cultural, linguistic, and  
11 national identity of Tibet, and pressing for improved  
12 respect for human rights;

13          (3) maintain close contact with religious, cul-  
14 tural, and political leaders of the Tibetan people, in-  
15 cluding regular travel to Tibetan areas of the Peo-  
16 ple’s Republic of China, and to Tibetan refugee set-  
17 tlements in India and Nepal;

18          (4) consult with Congress on policies relevant to  
19 Tibet and the future and welfare of the Tibetan peo-  
20 ple;

21          (5) make efforts to establish contacts in the for-  
22 eign ministries of other countries to pursue a nego-  
23 tiated solution for Tibet; and

24          (6) take all appropriate steps to ensure ade-  
25 quate resources, staff, and bureaucratic support to

1 fulfill the duties and responsibilities of the special  
2 coordinator.

### 3 **Subtitle B—Personnel Matters**

#### 4 **SEC. 331. REPORT CONCERNING RETIRED MEMBERS OF** 5 **THE FOREIGN SERVICE AND CIVIL SERVICE** 6 **WHO ARE REGISTERED AGENTS OF A GOV-** 7 **ERNMENT OF A FOREIGN COUNTRY.**

8 The Secretary of State shall submit, annually, a re-  
9 port to the Committee on International Relations of the  
10 House of Representatives and the Committee on Foreign  
11 Affairs of the Senate which lists members of the Foreign  
12 Service and the civil service who have retired, have been  
13 issued an identification which authorizes access to facili-  
14 ties of the Department of State, and are registered under  
15 the Foreign Agents Registration Act of 1938 as an agent  
16 of a government of a foreign country. The report shall  
17 specify each individual and the governments represented  
18 by that individual.

#### 19 **SEC. 332. TIBETAN LANGUAGE TRAINING.**

20 The Secretary of State shall ensure that Tibetan lan-  
21 guage training is available to Foreign Service officers, and  
22 that every effort is made to ensure that a Tibetan-speak-  
23 ing Foreign Service officer is assigned to the consulate in  
24 China responsible for tracking developments in Tibet.

1 **SEC. 333. DEPENDENTS ON FAMILY VISITATION TRAVEL.**

2 (a) IN GENERAL.—Section 901(8) of the Foreign  
3 Service Act of 1980 (22 U.S.C. 4081(8)) is amended by  
4 striking “Service” and inserting “Service, and members  
5 of his or her family,”.

6 (b) PROMULGATION OF GUIDANCE.—The Secretary  
7 shall promulgate guidance for the implementation of the  
8 amendment made by subsection (a) to ensure its imple-  
9 mentation in a manner which does not substantially in-  
10 crease the total amount of travel expenses paid or reim-  
11 bursed by the Department for travel under section 901  
12 of the Foreign Service Act of 1980.

13 (c) EFFECTIVE DATE.—The amendment made by  
14 subsection (a) shall take effect on the date on which guid-  
15 ance for implementation of such amendment is issued by  
16 the Secretary.

17 **SEC. 334. THOMAS JEFFERSON STAR.**

18 Section 36A of the State Department Basic Authori-  
19 ties Act of 1956 (22 U.S.C. 2708a) is amended—

20 (1) in the section heading by striking “FOR-  
21 EIGN SERVICE” and inserting “THOMAS JEF-  
22 FERSON”; and

23 (2) by striking “Foreign Service star” each  
24 place it appears and inserting “Thomas Jefferson  
25 Star”.



1   **SEC. 335. HEALTH EDUCATION AND DISEASE PREVENTION**  
2                   **PROGRAMS.**

3           Section 904(b) of the Foreign Service Act of 1980  
4   (22 U.S.C. 4084(b)) is amended by striking “families, and  
5   (3)” and inserting “families, (3) health education and dis-  
6   ease prevention programs for all employees, and (4)”.

7   **SEC. 336. TRAINING AUTHORITIES.**

8           Section 2205(a) of the Foreign Affairs Reform and  
9   Restructuring Act of 1998 (as enacted in division G of  
10   Public Law 105–277) is amended by striking subpara-  
11   graph (3).

12   **SEC. 337. FOREIGN NATIONAL RETIREMENT PLANS.**

13           Section 408(a)(1) of the Foreign Service Act of 1980  
14   (22 U.S.C. 3968(a)(1)) is amended in the third sentence  
15   by striking “(C)” and all that follows through “covered  
16   employees.” and inserting “(C) payments by the Govern-  
17   ment and employees to (i) a trust or other fund in a finan-  
18   cial institution in order to finance future benefits for em-  
19   ployees, including provision for retention in the fund of  
20   accumulated interest and dividends for the benefit of cov-  
21   ered employees; or (ii) a Foreign Service National Savings  
22   Fund established in the Treasury of the United States,  
23   which (I) shall be administered by the Secretary of State,  
24   at whose direction the Secretary of the Treasury shall in-  
25   vest amounts not required for the current needs of the  
26   fund; and (II) shall be public monies, which are authorized

1 to be appropriated and remain available without fiscal  
2 year limitation to pay benefits, to be invested in public  
3 debt obligations bearing interest at rates determined by  
4 the Secretary of the Treasury taking into consideration  
5 current average market yields on outstanding marketable  
6 obligations of the United States of comparable maturity,  
7 and to pay administrative expenses.”.

8 **SEC. 338. PRESIDENTIAL RANK AWARDS.**

9 (a) COMPARABLE TO PAYMENTS TO MERITORIOUS  
10 EXECUTIVES AND DISTINGUISHED EXECUTIVES.—Sec-  
11 tion 405(b)(3) of the Foreign Service Act of 1980 (22  
12 U.S.C. 3965(b)(3)) is amended by striking the second sen-  
13 tence and inserting “Payments under this paragraph to  
14 a member of the Senior Foreign Service may not exceed,  
15 in any fiscal year, the percentage of base pay established  
16 under section 4507(e)(1) of title 5, United States Code,  
17 for a Meritorious Executive, except that payments of the  
18 percentage of the base pay established under section  
19 4507(e)(2) of title 5, United States, Code, for Distin-  
20 guished Executives may be made in any fiscal year to up  
21 to 1 percent of the members of the Senior Foreign Serv-  
22 ice.”.

23 (b) EFFECTIVE DATE.—The amendment made by  
24 subsection (a) shall take effect October 1, 2001.

1 **SEC. 339. EMERGENCY MEDICAL ADVANCE PAYMENTS.**

2 Section 5927(a)(3) of title 5, United States Code, is  
3 amended to read as follows:

4 “(3) to an employee compensated pursuant to  
5 section 408 of the Foreign Service Act of 1980,  
6 who—

7 “(A) pursuant to government authorization  
8 is located outside the country of employment;  
9 and

10 “(B) requires medical treatment outside  
11 the country of employment in circumstances  
12 specified by the President in regulations.”.

13 **SEC. 340. UNACCOMPANIED AIR BAGGAGE.**

14 Section 5924(4)(B) of title 5, United States Code,  
15 is amended by inserting after the first sentence the fol-  
16 lowing: “At the option of the employee, in lieu of the  
17 transportation of the baggage of a dependent child from  
18 the dependent’s school, the costs incurred to store the bag-  
19 gage at or in the vicinity of the school during the depend-  
20 ent’s annual trip between the school and the employee’s  
21 duty station may be paid or reimbursed to the employee.  
22 The amount of the payment or reimbursement may not  
23 exceed the cost that the government would incur to trans-  
24 port the baggage.”.

1 **SEC. 341. SPECIAL AGENT AUTHORITIES.**

2 Section 37(a) of the State Department Basic Au-  
3 thorities Act of 1956 (22 U.S.C. 2709(a)) is amended in  
4 paragraph (3)(F) by inserting “or President-elect” after  
5 “President”.

6 **SEC. 342. REPORT CONCERNING MINORITY EMPLOYMENT.**

7 During each of the years 2002 and 2003, the Sec-  
8 retary of State shall submit a comprehensive report to the  
9 Congress concerning the status of employment of members  
10 of minority groups at the Department of State, including  
11 the Civil Service, the Foreign Service, and State Depart-  
12 ment employees serving abroad. The report shall include  
13 the following data (reported in terms of real numbers and  
14 percentages and not as ratios):

15 (1) For the last preceding Foreign Service ex-  
16 amination and promotion cycles for which such in-  
17 formation is available—

18 (A) the numbers and percentages of mem-  
19 bers of all minority groups taking the written  
20 Foreign Service examination;

21 (B) the numbers and percentages of mem-  
22 bers of all minority groups successfully com-  
23 pleting and passing the written Foreign Service  
24 examination;

25 (C) the numbers and percentages of mem-  
26 bers of all minority groups successfully com-

1           pleting and passing the oral Foreign Service ex-  
2           amination;

3           (D) the numbers and percentages of mem-  
4           bers of all minority groups entering the junior  
5           officers class of the Foreign Service;

6           (E) the numbers and percentages of mem-  
7           bers of all minority groups who are Foreign  
8           Service officers at each grade; and

9           (F) the numbers of and percentages of  
10          members of all minority groups promoted at  
11          each grade of the Foreign Service Officer  
12          Corps.

13          (2) For the last preceding year for Civil Service  
14          employment at the Department of State for which  
15          such information is available—

16               (A) numbers and percentages of members  
17               of all minority groups entering the Civil Service;

18               (B) the number and percentages of mem-  
19               bers of all minority groups who are civil service  
20               employees at each grade of the Civil Service;  
21               and

22               (C) the number of and percentages of  
23               members of all minority groups promoted at  
24               each grade of the Civil Service.

1 **TITLE IV—UNITED STATES EDU-**  
2 **CATIONAL AND CULTURAL**  
3 **PROGRAMS OF THE DEPART-**  
4 **MENT OF STATE**

5 **SEC. 401. EXTENSION OF REQUIREMENT FOR SCHOLAR-**  
6 **SHIPS FOR TIBETANS AND BURMESE.**

7 Section 103(b)(1) of the Human Rights, Refugee,  
8 and Other Foreign Relations Provisions Act of 1996 (Pub-  
9 lic Law 104–319; 22 U.S.C. 2151 note) is amended by  
10 striking “for the fiscal year 2000” and inserting “for each  
11 of the fiscal years 2002 and 2003”.

12 **SEC. 402. NONPROFIT ENTITIES FOR CULTURAL PROGRAM-**  
13 **MING.**

14 (a) FINDINGS.—The Congress makes the following  
15 findings:

16 (1) It is in the national interest of the United  
17 States to promote mutual understanding between  
18 the people of the United States and other nations.

19 (2) Among the means to be used in achieving  
20 this objective are a wide range of international edu-  
21 cational and cultural exchange programs, including  
22 the J. William Fulbright Educational Exchange Pro-  
23 gram and the International Visitors Program.

24 (3) Cultural diplomacy, especially the presen-  
25 tation abroad of the finest of America’s creative, vis-

1 ual and performing arts, is an especially effective  
2 means of advancing the United States national in-  
3 terest.

4 (4) The financial support available for inter-  
5 national cultural and scholarly exchanges has de-  
6 clined by approximately 10 per cent in recent years.

7 (5) Funds appropriated for the purpose of en-  
8 suring that the excellence, diversity, and vitality of  
9 the arts in the United States are presented to for-  
10 eign audiences by, and in cooperation with, our dip-  
11 lomatic and consular representatives have declined  
12 dramatically.

13 (6) One of the ways to deepen and expand cul-  
14 tural and educational exchange programs is through  
15 the establishment of nonprofit entities to encourage  
16 the participation and financial support of corpora-  
17 tions and other private sector contributors.

18 (7) The United States private sector should be  
19 encouraged to cooperate closely with the Secretary of  
20 State and representatives of the Department to ex-  
21 pand and spread appreciation of United States cul-  
22 tural and artistic accomplishments.

23 (b) AUTHORITY TO ESTABLISH NONPROFIT ENTI-  
24 TIES.—Section 105 of the Mutual Educational and Cul-

1 tural Exchange Act of 1961 (22 U.S.C. 2255) is amended  
2 by striking subsection (g) and inserting the following:

3 “(g) NONPROFIT ENTITIES FOR CULTURAL PRO-  
4 GRAMMING.—

5 “(1) The Secretary of State is authorized to  
6 provide for the establishment of private nonprofit  
7 entities to assist in carrying out the purposes of this  
8 subsection. Any such entity shall not be considered  
9 an agency or instrumentality of the United States  
10 Government and employees of such an entity shall  
11 not be considered employees of the United States  
12 Government for any purpose.

13 “(2) An entity established pursuant to the au-  
14 thority of paragraph (1) may carry out the fol-  
15 lowing:

16 “(A) Encourage participation and support  
17 by United States corporations and other ele-  
18 ments of the private sector for cultural, arts,  
19 and educational exchange programs which will  
20 enhance international appreciation of America’s  
21 cultural and artistic accomplishments.

22 “(B) Solicit and receive contributions from  
23 the private sector to support cultural, arts, and  
24 educational exchange programs.



1           “(C) Provide grants and other assistance  
2           for such programs.

3           “(3) The Secretary of State is authorized to  
4           make such arrangements as are necessary to carry  
5           out the purposes of any entity established pursuant  
6           to paragraph (1) including the following:

7           “(A) The solicitation and receipt of funds  
8           for an entity.

9           “(B) Designation of a program in recogni-  
10          tion of such contributions.

11          “(C) Appointment of members of the board  
12          of directors or other body established to admin-  
13          ister an entity, including the appointment of  
14          employees of the United States Government as  
15          ex officio nonvoting members of such a board or  
16          other administrative body.

17          “(D) Making recommendations with re-  
18          spect to specific artistic and cultural programs  
19          to be carried out by the entity.

20          “(4) For fiscal years 2002 and 2003, not to ex-  
21          ceed \$500,000 of funds available to the Department  
22          of State are authorized to be made available for each  
23          fiscal year for administrative and other costs for the  
24          establishment of entities pursuant to paragraph (1).  
25          An entity established pursuant to paragraph (1) is

1 authorized to invest amounts made available to the  
2 entity by the Department of State, and such  
3 amounts, as well as interest or earnings on such  
4 amounts, may be used by the entity to carry out its  
5 purposes.

6 “(5) Each entity established pursuant to para-  
7 graph (1) shall submit an annual report on the  
8 sources and amount of funds and other resources re-  
9 ceived and the programs funded by the entity to the  
10 Committee on Foreign Relations of the Senate and  
11 the Committee on International Relations of the  
12 House of Representatives.

13 “(6) The financial transactions of each entity  
14 established under paragraph (1) for each fiscal year  
15 shall be the subject of an independent audit. A re-  
16 port of each such audit shall be made available to  
17 the Committee on Foreign Relations of the Senate  
18 and the Committee on International Relations of the  
19 House of Representatives.”.

20 **SEC. 403. FULBRIGHT-HAYS AUTHORITIES.**

21 Section 112(d) of the Mutual Educational and Cul-  
22 tural Exchange Act of 1961 (22 U.S.C. 2460(d) is amend-  
23 ed by striking “operating under the authority of this Act  
24 and consistent with” and inserting “which operate under  
25 the authority of this Act or promote”.

1 **SEC. 404. ETHICAL ISSUES IN INTERNATIONAL HEALTH RE-**  
2 **SEARCH.**

3 (a) IN GENERAL.—The Secretary shall make avail-  
4 able funds for public diplomacy and international ex-  
5 changes, including, as appropriate, funds for international  
6 visitor programs and scholarships available under the  
7 United States Information and Educational Exchange Act  
8 of 1948, the Mutual Educational and Cultural Exchange  
9 Act of 1961 and other similar statutes, to provide opportu-  
10 nities to researchers in developing countries to obtain  
11 scholarships and otherwise participate in activities related  
12 to ethical issues in human subject research, as described  
13 in subsection (b).

14 (b) ETHICAL ISSUES IN HUMAN SUBJECT RE-  
15 SEARCH.—For purposes of subsection (a), “activities re-  
16 lated to ethical issues in human subject research” include  
17 courses of study, conferences, and fora on development of  
18 and compliance with international ethical standards for  
19 clinical trials involving human subjects, particularly with  
20 respect to responsibilities of researchers to individuals and  
21 local communities participating in such trials, and on  
22 management and monitoring of such trials based on such  
23 international ethical standards.

1 **TITLE V—UNITED STATES**  
2 **INTERNATIONAL BROAD-**  
3 **CASTING ACTIVITIES**

4 **SEC. 501. ELIMINATING STAFF POSITIONS FOR THE ADVI-**  
5 **SORY BOARD FOR CUBA BROADCASTING.**

6 (a) ELIMINATING POSITION OF STAFF DIRECTOR.—

7 (1) Section 245 of the Television Broadcasting  
8 to Cuba Act (22 U.S.C. 1465c note) is amended by  
9 striking subsection (d).

10 (2) Any funds made available through the elimi-  
11 nation of the position under the amendment made  
12 by paragraph (1) shall be made available for broad-  
13 casting to Cuba.

14 (b) PROHIBITING PAID STAFF POSITIONS.—The Ad-  
15 visory Board for Cuba Broadcasting is not authorized to  
16 employ administrative or support staff who are com-  
17 pensated by the Advisory Board.

18 **SEC. 502. REPORTS ON BROADCASTING PERSONNEL.**

19 Not later than 3 months after the date of the enact-  
20 ment of this Act and every 6 months thereafter during  
21 the fiscal years 2002 and 2003, the Broadcasting Board  
22 of Governors shall submit to the appropriate congressional  
23 committees a report regarding high-level personnel of the  
24 Broadcasting Board of Governors and efforts to diversify  
25 the workforce. Each report shall include the following in-

1 formation, reported separately, for the International  
2 Broadcasting Bureau, Radio Free Europe/Radio Liberty,  
3 and Radio Free Asia:

4 (1) A list of all personnel positions at and above  
5 the GS–13 pay level.

6 (2) The number and percentage of women and  
7 members of minority groups in positions under para-  
8 graph (1).

9 (3) The increase or decrease in the representa-  
10 tion of women and members of minority groups in  
11 positions under paragraph (1) from previous years.

12 (4) The recruitment budget for each broad-  
13 casting entity and the aggregate budget.

14 (5) Information concerning the recruitment ef-  
15 forts of the Broadcasting Board of Governors relat-  
16 ing to women and members of minority groups, in-  
17 cluding the percentage of the recruitment budget  
18 utilized for such efforts.

19 **TITLE VI—INTERNATIONAL OR-**  
20 **GANIZATIONS AND COMMIS-**  
21 **SIONS**

22 **SEC 601. UNITED NATIONS ARREARS PAYMENTS AND RE-**  
23 **FORM.**

24 (a) ADDITIONAL RESTRICTIONS ON RELEASE OF AR-  
25 REARAGE PAYMENTS RELATING TO UNITED STATES SOV-

1 EREIGNTY.—In addition to the satisfaction of all other  
2 preconditions applicable to the obligation and expenditure  
3 of funds authorized to be appropriated by section  
4 911(a)(2) of the United Nations Reform Act of 1999, such  
5 funds may not be obligated or expended until the Sec-  
6 retary of State certifies to the appropriate congressional  
7 committees that the following conditions are satisfied:

8 (1) SUPREMACY OF THE UNITED STATES CON-  
9 STITUTION.—No action has been taken by the  
10 United Nations or any of its specialized or affiliated  
11 agencies that requires the United States to violate  
12 the United States Constitution or any law of the  
13 United States.

14 (2) NO UNITED NATIONS SOVEREIGNTY.—Nei-  
15 ther the United Nations nor any of its specialized or  
16 affiliated agencies—

17 (A) has exercised sovereignty over the  
18 United States; or

19 (B) has taken any steps that require the  
20 United States to cede sovereignty.

21 (3) NO UNITED NATIONS TAXATION.—

22 (A) NO LEGAL AUTHORITY.—Except as  
23 provided in subparagraph (D), neither the  
24 United Nations nor any of its specialized or af-  
25 filiated agencies has the authority under United

1 States law to impose taxes or fees on United  
2 States nationals.

3 (B) NO TAXES OR FEES.—Except as pro-  
4 vided in subparagraph (D), a tax or fee has not  
5 been imposed on any United States national by  
6 the United Nations or any of its specialized or  
7 affiliated agencies.

8 (C) NO TAXATION PROPOSALS.—Except as  
9 provided in subparagraph (D), neither the  
10 United Nations nor any of its specialized or af-  
11 filiated agencies has, on or after October 1,  
12 1996, officially approved any formal effort to  
13 develop, advocate, or promote any proposal con-  
14 cerning the imposition of a tax or fee on any  
15 United States national in order to raise revenue  
16 for the United Nations or any such agency.

17 (D) EXCEPTION.—This paragraph does  
18 not apply to—

19 (i) fees for publications or other kinds  
20 of fees that are not tantamount to a tax on  
21 United States citizens;

22 (ii) the World Intellectual Property  
23 Organization; or

1 (iii) the staff assessment costs of the  
2 United Nations and its specialized or affili-  
3 ated agencies.

4 (4) NO STANDING ARMY.—The United Nations  
5 has not, on or after October 1, 1996, budgeted any  
6 funds for, nor taken any official steps to develop,  
7 create, or establish any special agreement under Ar-  
8 ticle 43 of the United Nations Charter to make  
9 available to the United Nations, on its call, the  
10 armed forces of any member of the United Nations.

11 (5) NO INTEREST FEES.—The United Nations  
12 has not, on or after October 1, 1996, levied interest  
13 penalties against the United States or any interest  
14 on arrearages on the annual assessment of the  
15 United States, and neither the United Nations nor  
16 its specialized agencies have, on or after October 1,  
17 1996, amended their financial regulations or taken  
18 any other action that would permit interest penalties  
19 to be levied against the United States or otherwise  
20 charge the United States any interest on arrearages  
21 on its annual assessment.

22 (6) UNITED STATES REAL PROPERTY  
23 RIGHTS.—Neither the United Nations nor any of its  
24 specialized or affiliated agencies has exercised au-  
25 thority or control over any United States national



1 park, wildlife preserve, monument, or real property,  
2 nor has the United Nations nor any of its specialized  
3 or affiliated agencies implemented plans, regulations,  
4 programs, or agreements that exercise control or au-  
5 thority over the private real property of United  
6 States citizens located in the United States without  
7 the approval of the property owner.

8 (7) TERMINATION OF BORROWING AUTHOR-  
9 ITY.—

10 (A) PROHIBITION ON AUTHORIZATION OF  
11 EXTERNAL BORROWING.—On or after the date  
12 of enactment of this Act, neither the United  
13 Nations nor any specialized agency of the  
14 United Nations has amended its financial regu-  
15 lations to permit external borrowing.

16 (B) PROHIBITION OF UNITED STATES PAY-  
17 MENT OF INTEREST COSTS.—The United States  
18 has not, on or after October 1, 1984, paid its  
19 share of any interest costs made known to or  
20 identified by the United States Government for  
21 loans incurred, on or after October 1, 1984, by  
22 the United Nations or any specialized agency of  
23 the United Nations through external borrowing.

24 (b) AMENDMENTS TO THE UNITED NATIONS RE-  
25 FORM ACT OF 1999.—The United Nations Reform Act of

1 1999 (title IX of division A of H.R. 3427, as enacted into  
2 law by section 1000(a)(7) of Public Law 106–113; appen-  
3 dix G; 113 Stat. 1501A–475) is amended as follows:

4 (1) Section 912(c) is amended by striking “sec-  
5 tion 911” and inserting “section 911(a)(3)”.

6 (2) Section 931(b) is amended by—

7 (A) striking paragraph (2); and

8 (B) redesignating paragraph (3) as para-  
9 graph (2).

10 (3) Section 941(a)(2) is amended—

11 (A) by striking “also”;

12 (B) by striking “in subsection (b)(4)” both  
13 places it appears; and

14 (C) by striking “satisfied, if the other con-  
15 ditions in subsection (b) are satisfied” and in-  
16 serting “satisfied”.

17 (4) Section 941(b)(3) is amended—

18 (A) in the paragraph heading by striking  
19 “NEW BUDGET PROCEDURES” and inserting  
20 “BUDGET PRACTICES”;

21 (B) by striking “has established and”;

22 (C) by striking “procedures” and inserting  
23 “practices”; and

1 (D) in subparagraphs (A) and (B) by  
2 striking “require” both places it appears and  
3 inserting in both places “result in”.

4 (5) Section 941(b)(9) is amended—

5 (A) in the paragraph heading by striking  
6 “NEW BUDGET PROCEDURES” and inserting  
7 “BUDGET PRACTICES”;

8 (B) by striking “Each designated special-  
9 ized agency has established procedures to—”  
10 and inserting “The practices of each designated  
11 specialized agency—”; and

12 (C) in subparagraphs (A), (B), and (C) by  
13 striking “require” each of the 3 places it ap-  
14 pears such subparagraphs and inserting in the  
15 3 places “result in”.

16 (c) AMENDMENT TO UNITED NATIONS PARTICIPA-  
17 TION ACT.—Section 6 of the United Nations Participation  
18 Act of 1945 (22 U.S.C. 287d) is amended to read as fol-  
19 lows:

20 **“SEC. 6. AGREEMENTS WITH SECURITY COUNCIL.**

21 “(a) Any agreement described in subsection (b) that  
22 is concluded by the President with the Security Council  
23 shall not be effective unless approved by the Congress by  
24 appropriate Act or joint resolution.

1       “(b) An agreement referred to in subsection (a) is  
 2 an agreement providing for the numbers and types of  
 3 United States Armed Forces, their degree of readiness and  
 4 general locations, or the nature of facilities and assistance,  
 5 including rights of passage, to be made available to the  
 6 Security Council for the purpose of maintaining inter-  
 7 national peace and security in accordance with Article 43  
 8 of the Charter of the United Nations.

9       “(c) Except as provided in section 7, nothing in this  
 10 section may be construed as an authorization to the Presi-  
 11 dent by the Congress to make available United States  
 12 Armed Forces, facilities, or assistance to the Security  
 13 Council.”.

14       (d) AMENDMENT TO PUBLIC LAW 103–236.—Sec-  
 15 tion 404(b)(2) of the Foreign Relations Authorization Act,  
 16 Fiscal Years 1994 and 1995 (Public Law 103–236; 22  
 17 U.S.C. 287e note) is amended—

18               (1) by striking “for any fiscal year after fiscal  
 19 year 1995” and inserting “for —

20                       “(A) fiscal years 1996 through 2001, and  
 21 any fiscal year after fiscal year 2003”; and

22               (2) by striking “operation.” and inserting “op-  
 23 eration; and

24                       “(B) fiscal years 2002 and 2003 shall not  
 25 be available for the payment of the United

1 States assessed contribution for a United Na-  
2 tions peacekeeping operation in an amount  
3 which is greater than 28.15 percent of the total  
4 of all assessed contributions for that oper-  
5 ation.”.

6 (e) CONFORMING AMENDMENT TO PUBLIC LAW 92-  
7 544.—The last sentence of the paragraph headed “Con-  
8 tributions to International Organizations” in Public Law  
9 92–544 (22 U.S.C. 287e note), is amended—

10 (1) by striking “Appropriations are authorized”  
11 and inserting “Subject to section 404(b)(2) of the  
12 Foreign Relations Authorization Act, Fiscal Years  
13 1994 and 1995 (Public Law 103–236, 22 U.S.C.  
14 287e note), as amended, appropriations are author-  
15 ized”; and

16 (2) by striking “(other than United Nations  
17 peacekeeping operations) conducted” and inserting  
18 “conducted by or under the auspices of the United  
19 Nations or”.

20 (f) CONFORMING AMENDMENT TO PUBLIC LAW 105-  
21 277.—The undesignated paragraph under the heading  
22 “ARREARAGE PAYMENTS” in title IV of the Departments  
23 of Commerce, Justice, and State, the Judiciary, and Re-  
24 lated Agencies Appropriations Act, 1999 (as enacted into  
25 law by section 101(b) of division A of the Omnibus Con-

1 consolidated and Emergency Supplemental Appropriations  
2 Act, 1999; 112 Stat. 2681–96) is amended by striking  
3 “member, and the share of the budget for each assessed  
4 United Nations peacekeeping operation does not exceed 25  
5 percent for any single United Nations member.” and in-  
6 serting “member.”.

7 (g) CONFORMING AMENDMENT TO PUBLIC LAW  
8 106–113.—The undesignated paragraph under the head-  
9 ing “ARREARAGE PAYMENTS” in title IV of the Depart-  
10 ments of Commerce, Justice, and State, the Judiciary, and  
11 Related Agencies Appropriations Act, 2000 (as enacted  
12 into law by section 1000(a)(1) of division B of Public Law  
13 106–113; appendix A; 113 Stat. 1501A–42) is amended—

14 (1) in the first proviso, by striking “the share  
15 of the total of all assessed contributions for any des-  
16 ignated specialized agency of the United Nations  
17 does not exceed 22 percent for any single member of  
18 the agency, and”; and

19 (2) by inserting immediately after the first pro-  
20 viso “*Provided further*, That, none of the funds ap-  
21 propriated or otherwise made available under this  
22 heading for payment of arrearages may be obligated  
23 or expended with respect to a designated specialized  
24 agency of the United Nations until such time as the  
25 share of the total of all assessed contributions for

1       that designated specialized agency does not exceed  
2       22 percent for any member of the agency:”.

3       (h) EFFECTIVE DATE.—This section and the amend-  
4       ments made by this section shall take effect on the date  
5       of the enactment of this Act.

6       **SEC. 602. TRAVEL BY ADVISORY COMMITTEE MEMBERS TO**  
7                               **GREAT LAKES FISHERY COMMISSION AN-**  
8                               **NUAL MEETING.**

9       Section 4(c) of the Great Lakes Fishery Act of 1956  
10      (70 Stat. 242; 16 U.S.C. 933(c)) is amended in the second  
11      sentence—

12               (1) by striking “five” and inserting “ten”; and  
13               (2) by striking “each” and inserting “the an-  
14      nual”.

15      **SEC. 603. UNITED STATES POLICY ON COMPOSITION OF**  
16                               **THE UNITED NATIONS HUMAN RIGHTS COM-**  
17                               **MISSION.**

18      (a) FINDINGS.—The Congress makes the following  
19      findings:

20               (1) The United Nations Human Rights Com-  
21      mission is an important organ of the United Nations  
22      that plays a significant role in monitoring inter-  
23      national human rights developments and can make  
24      an important contribution to advancing human  
25      rights around the world.

1           (2) The membership of the Commission, how-  
2           ever, continues to include countries that are them-  
3           selves human rights violators.

4           (3) Countries that are on the Commission have  
5           a special duty to ensure that they are prepared to  
6           allow human rights monitors into their own country  
7           to investigate allegations of human rights violations.

8           (b) UNITED STATES POLICY ON MEMBERSHIP OF  
9           THE COMMISSION.—The President, acting through the  
10          Secretary of State, the United States Permanent Rep-  
11          resentative to the United Nations, and other appropriate  
12          United States Government officials, shall use the voice and  
13          vote of the United States at the United Nations to oppose  
14          membership on the United Nations Commission on  
15          Human Rights for any country that does not provide a  
16          standing invitation to allow the following persons to mon-  
17          itor human rights in the territory of such country:

18               (1) Designated United Nations human rights  
19               investigators and rapporteurs.

20               (2) Representatives from nongovernmental or-  
21               ganizations that focus on human rights.

22       **SEC. 604. UNITED STATES MEMBERSHIP IN THE INTER-**  
23       **NATIONAL ORGANIZATION FOR MIGRATION.**

24           (a) CONTINUATION OF MEMBERSHIP.—The Presi-  
25          dent is authorized to continue membership for the United



1 States in the International Organization for Migration in  
 2 accordance with the constitution of such organization ap-  
 3 proved in Venice, Italy, on October 19, 1953, as amended  
 4 in Geneva, Switzerland, on November 24, 1998, upon  
 5 entry into force of such amendments.

6 (b) AUTHORIZATION OF APPROPRIATIONS.—For the  
 7 purpose of assisting in the movement of refugees and mi-  
 8 grants, there are authorized to be appropriated such  
 9 amounts as may be necessary from time to time for pay-  
 10 ment by the United States of its contributions to the  
 11 International Organization for Migration and all necessary  
 12 salaries and expenses incidental to United States partici-  
 13 pation in such organization.

## 14 **TITLE VII—MISCELLANEOUS** 15 **PROVISIONS**

### 16 **Subtitle A—General Provisions**

#### 17 **SEC. 701. AMENDMENTS TO THE IRAN NONPROLIFERATION** 18 **ACT OF 2000.**

19 (a) REPORTS ON PROLIFERATION TO IRAN.—Section  
 20 2 of the Iran Nonproliferation Act of 2000 (Public Law  
 21 106–178; 114 Stat. 39; 50 U.S.C. 1701 note) is amended  
 22 by inserting after subsection (d) the following new sub-  
 23 section:

24 “(e) CONTENT OF REPORTS.—Each report under  
 25 subsection (a) shall contain, with respect to each foreign

1 person identified in such report, a brief description of the  
2 type and quantity of the goods, services, or technology  
3 transferred by that person to Iran, the circumstances sur-  
4 rounding the transfer, the usefulness of the transfer to  
5 Iranian weapons programs, and the probable awareness or  
6 lack thereof of the transfer on the part of the government  
7 with primary jurisdiction over the person.”.

8 (b) DETERMINATION EXEMPTING FOREIGN PERSONS  
9 FROM CERTAIN MEASURES UNDER THE ACT.—Section  
10 5(a)(2) of such Act is amended by striking “systems” and  
11 inserting “systems, or conventional weapons”.

12 **SEC. 702. AMENDMENTS TO THE NORTH KOREA THREAT**  
13 **REDUCTION ACT OF 1999.**

14 Section 822(a) of the North Korea Threat Reduction  
15 Act of 1999 (subtitle B of title VIII of division A of H.R.  
16 3427, as enacted into law by section 1000(a)(7) of Public  
17 Law 106–113; appendix G; 113 Stat. 1501A–472) is  
18 amended by striking “such agreement,” both places it ap-  
19 pears and inserting in both places “such agreement (or  
20 that are controlled under the Export Trigger List of the  
21 Nuclear Suppliers Group),”.

1 **SEC. 703. AMENDMENTS TO THE INTERNATIONAL RELI-**  
2 **GIUS FREEDOM ACT OF 1998.**

3 (a) REPEAL OF TERMINATION OF COMMISSION.—  
4 The International Religious Freedom Act of 1998 (22  
5 U.S.C. 6401 et seq.) is amended by striking section 209.

6 (b) AUTHORIZATIONS OF APPROPRIATIONS.—Section  
7 207(a) of such Act (22 U.S.C. 6435(a)) is amended by  
8 inserting “for each of the fiscal years 2002 and 2003”  
9 after “\$3,000,000”.

10 (c) ELECTION OF CHAIR OF COMMISSION.—Section  
11 201(d) of such Act (22 U.S.C. 6431(d)) is amended by  
12 striking “in each calendar” and inserting “after May 30  
13 of each”.

14 (d) PROCUREMENT OF NONGOVERNMENTAL SERV-  
15 ICES.—Section 208(c)(1) of such Act (22 U.S.C.  
16 6435a(c)(1)) is amended by striking “authority other than  
17 that allowed under this title” and inserting “authority, in  
18 excess of \$75,000 annually, except as otherwise provided  
19 in this title”.

20 (e) DONATION OF SERVICES.—Section 208(d)(1) of  
21 such Act (22 U.S.C. 6435a(d)(1)) is amended by striking  
22 “services or” both places it appears.

23 (f) ESTABLISHMENT OF STAGGERED TERMS OF  
24 MEMBERS OF COMMISSION.—Section 201(c) of such Act  
25 (22 U.S.C. 6431(c)) is amended by adding after para-  
26 graph (1) the following new paragraph:

1           “(2)     ESTABLISHMENT     OF     STAGGERED  
2     TERMS.—Notwithstanding paragraph (1), members  
3     of the Commission appointed to serve on the Com-  
4     mission during the period May 15, 2003, through  
5     May 14, 2005, shall be appointed to terms in ac-  
6     cordance with the provisions of this paragraph. Of  
7     the 3 members of the Commission appointed by the  
8     President under subsection (b)(1)(B)(i), 2 shall be  
9     appointed to a one-year term and 1 shall be ap-  
10    pointed to a two-year term. Of the 3 members of the  
11    Commission appointed by the President pro tempore  
12    of the Senate under subsection (b)(1)(B)(ii), 1 of  
13    the appointments made upon the recommendation of  
14    the leader in the Senate of the political party that  
15    is not the political party of the President shall be  
16    appointed to a one-year term, and the other 2 ap-  
17    pointments under such clause shall be two-year  
18    terms. Of the 3 members of the Commission ap-  
19    pointed by the Speaker of the House of Representa-  
20    tives under subsection (b)(1)(B)(iii), 1 of the ap-  
21    pointments made upon the recommendation of the  
22    leader in the House of the political party that is not  
23    the political party of the President shall be to a one-  
24    year term, and the other 2 appointments under such  
25    clause shall be two-year terms. The term of each

1 member of the Commission appointed to a one-year  
2 term shall be considered to have begun on May 15,  
3 2003, and shall end on May 14, 2004, regardless of  
4 the date of the appointment to the Commission.  
5 Each vacancy which occurs upon the expiration of  
6 the term of a member appointed to a one-year term  
7 shall be filled by the appointment of a successor to  
8 a two-year term.”.

9 (g) VACANCIES.—Section 201(g) of such Act (22  
10 U.S.C. 6431(g)) is amended by adding at the end the fol-  
11 lowing: “A member may serve after the expiration of that  
12 member’s term until a successor has taken office. Any  
13 member appointed to fill a vacancy occurring before the  
14 expiration of the term for which the member’s predecessor  
15 was appointed shall be appointed only for the remainder  
16 of that term. ”.

17 **SEC. 704. CONTINUATION OF UNITED STATES ADVISORY**  
18 **COMMISSION ON PUBLIC DIPLOMACY.**

19 (a) AUTHORITY TO CONTINUE COMMISSION.—Sec-  
20 tion 1334 of the Foreign Affairs Reform and Restruc-  
21 turing Act of 1998 (as enacted in division G of the Omni-  
22 bus Consolidated and Emergency Supplemental Appro-  
23 priations Act, 1999: Public Law 105–277) is amended by  
24 striking “October 1, 2001” and inserting “October 1,  
25 2005”.

(b) REPEAL.—Section 404(c) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (section 404(c) of division A of H.R. 3427, as enacted into law by section 1000(a)(7) of Public Law 106–113; appendix G; 113 Stat. 1501A–446) is amended by striking paragraph (2).

**SEC. 705. PARTICIPATION OF SOUTH ASIA COUNTRIES IN  
INTERNATIONAL LAW ENFORCEMENT.**

The Secretary of State shall ensure, where practicable, that appropriate government officials from countries in the South Asia region shall be eligible to attend courses at the International Law Enforcement Academy located in Bangkok, Thailand, and Budapest, Hungary, consistent with other provisions of law, with the goal of enhancing regional cooperation in the fight against transnational crime.

**Subtitle B—Sense of Congress  
Provisions**

**SEC. 731. SENSE OF CONGRESS RELATING TO HIV/AIDS AND  
UNITED NATIONS PEACEKEEPING OPER-  
ATIONS.**

It is the sense of the Congress that the President should direct the Secretary of State and the United States Representative to the United Nations to urge the United

1 Nations to adopt an HIV/AIDS mitigation strategy as a  
2 component of United Nations peacekeeping operations.

3 **SEC. 732. SENSE OF CONGRESS RELATING TO HIV/AIDS**  
4 **TASK FORCE.**

5 It is the sense of the Congress that the Secretary of  
6 State should establish an international HIV/AIDS inter-  
7 vention, mitigation, and coordination task force to coordi-  
8 nate activities on international HIV/AIDS programs ad-  
9 ministered by agencies of the Federal Government and to  
10 work with international public and private entities working  
11 to combat the HIV/AIDS pandemic.

12 **SEC. 733. SENSE OF CONGRESS CONDEMNING THE DE-**  
13 **STRUCTION OF PRE-ISLAMIC STATUES IN AF-**  
14 **GHANISTAN BY THE TALIBAN REGIME.**

15 (a) FINDINGS.—The Congress makes the following  
16 findings:

17 (1) Many of the oldest and most significant  
18 Buddhist statues in the world are in Afghanistan,  
19 which, at the time that many of the statues were  
20 carved, was one of the most cosmopolitan regions in  
21 the world and hosted merchants, travelers, and art-  
22 ists from China, India, central Asia, and the Roman  
23 Empire.

1           (2) Such statues are part of the common herit-  
2           age of mankind, which must be preserved for future  
3           generations.

4           (3) On February 26, 2001, the leader of the  
5           Taliban regime, Mullah Mohammad Omar, ordered  
6           the destruction of all pre-Islamic statues in Afghani-  
7           stan, among them a pair of 1,600-year-old, 100-foot-  
8           tall statues of Buddha that are carved out of a  
9           mountainside.

10          (4) The religion of Islam and Buddhist statues  
11          have coexisted in Afghanistan as part of the unique  
12          historical and cultural heritage of that nation for  
13          more than 1,100 years.

14          (5) The destruction of the pre-Islamic statues  
15          contradicts the basic tenet of the Islamic religion  
16          that other religions should be tolerated.

17          (6) People of all faiths and nationalities have  
18          condemned the destruction of the statues in Afghan-  
19          istan, including Muslim communities around the  
20          world.

21          (7) The destruction of the statues violates the  
22          United Nations Convention Concerning the Protec-  
23          tion of the World Cultural and Natural Heritage,  
24          which was ratified by Afghanistan on March 20,  
25          1979.



1 (b) SENSE OF CONGRESS.—The Congress—

2 (1) joins with people and governments around  
3 the world in condemning the destruction of pre-Islamic  
4 statues in Afghanistan by the Taliban regime;

5 (2) urges the Taliban regime to stop destroying  
6 such statues; and

7 (3) calls upon the Taliban regime to grant  
8 international organizations immediate access to Afghanistan  
9 to survey the damage and facilitate international  
10 efforts to preserve and safeguard the remaining  
11 statues.

12 **SEC. 734. SENSE OF CONGRESS RELATING TO RESOLUTION**  
13 **OF THE TAIWAN STRAIT ISSUE.**

14 It is the sense of the Congress that Taiwan is a mature  
15 democracy and it is the policy of the United States  
16 that any resolution of the Taiwan Strait issue must be  
17 peaceful and include the assent of the people of Taiwan.

18 **SEC. 735. SENSE OF CONGRESS RELATING TO ARSENIC**  
19 **CONTAMINATION IN DRINKING WATER IN**  
20 **BANGLADESH.**

21 (a) FINDINGS.—In the early 1970s, the United Nations  
22 Children's Fund (UNICEF) and the Bangladeshi  
23 Department of Public Health Engineering, in an attempt  
24 to bring clean drinking water to the people of Bangladesh,  
25 installed tube wells to access shallow aquifers. This was

1 done to provide an alternative to contaminated surface  
2 water sources. However, at the time the wells were in-  
3 stalled, arsenic was not recognized as a problem in water  
4 supplies and standard water testing procedures did not in-  
5 clude arsenic tests. Naturally occurring inorganic arsenic  
6 contamination of water in those tube-wells was confirmed  
7 in 1993 in the Nawabganj district in Bangladesh. The  
8 health effects of ingesting arsenic-contaminated drinking  
9 water appear slowly. This makes preventative measures,  
10 including drawing arsenic out of the existing tube well and  
11 finding alternate sources of water, critical to preventing  
12 future contamination in large numbers of the Bangladeshi  
13 population. Health effects of exposure to arsenic in both  
14 adults and children include skin lesions, skin cancer, and  
15 mortality from internal cancers.

16 (b) SENSE OF CONGRESS.—The Secretary of State  
17 should work with appropriate United States Government  
18 agencies, national laboratories, universities in the United  
19 States, the Government of Bangladesh, international fi-  
20 nancial institutions and organizations, and international  
21 donors to identify a long term solution to the arsenic-con-  
22 taminated drinking water problem.

23 (c) REPORT TO CONGRESS.—The Secretary of State  
24 should report to the Congress on proposals to bring about  
25 arsenic-free drinking water to Bangladeshis and to facili-

1   tate treatment for those who have already been affected  
 2   by arsenic-contaminated drinking water in Bangladesh.

3   **SEC. 736. SENSE OF CONGRESS RELATING TO DISPLAY OF**  
 4                   **THE AMERICAN FLAG AT THE AMERICAN IN-**  
 5                   **STITUTE IN TAIWAN.**

6       It is the sense of the Congress that the chancery of  
 7   the American Institute in Taiwan and the residence of the  
 8   director of the American Institute in Taiwan should pub-  
 9   licly display the flag of the United States in the same man-  
 10   ner as United States embassies, consulates, and official  
 11   residences throughout the world.

12   **SEC. 737. SENSE OF CONGRESS REGARDING HUMAN**  
 13                   **RIGHTS VIOLATIONS IN WEST PAPUA AND**  
 14                   **ACEH, INCLUDING THE MURDER OF JAFAR**  
 15                   **SIDDIQ HAMZAH, AND ESCALATING VIO-**  
 16                   **LENCE IN MALUKU AND CENTRAL**  
 17                   **KALIMANTAN.**

18       (a) FINDINGS.—The Congress makes the following  
 19   findings:

20           (1) Human rights violations by elements of the  
 21   Indonesian Government continue to worsen in West  
 22   Papua (Irian Jaya) and Aceh, while other areas in-  
 23   cluding the Moluccas (Maluku) and Central  
 24   Kalimantan have experienced outbreaks of violence  
 25   by militia forces and other organized groups.

1           (2) Seven West Papuans were shot dead by In-  
2           donesian security forces following a flag-raising cere-  
3           mony in the town of Merauke on December 2, 2000,  
4           and in a separate incident four others were report-  
5           edly killed by Indonesian security forces after a West  
6           Papuan flag was raised in Tiom on December 18,  
7           2000.

8           (3) Indonesian police have attacked peaceful  
9           West Papuan civilians, including students in their  
10          dormitories at Cenderawasih University on Decem-  
11          ber 6, 2000. This attack resulted in the beating and  
12          arrests of some 100 students as well as the deaths  
13          of three students, including one in police custody in  
14          the capital city of Jayapura.

15          (4) To escape Indonesian security forces, hun-  
16          dreds of peaceful West Papuans have sought safety  
17          in refugee camps across the border in the neigh-  
18          boring state of Papua New Guinea (PNG).

19          (5) The Indonesian armed forces have an-  
20          nounced that they are initiating “limited military op-  
21          erations” in Aceh, where the Exxon-Mobil gas com-  
22          pany has suspended operations due to security con-  
23          cerns.

24          (6) On September 7, 2000, the body of  
25          Acehnese human rights lawyer Jafar Siddiq

1 Hamzah, who had been missing for a month, was  
2 identified along with four other badly decomposed  
3 bodies, whose faces were bashed in and whose hands  
4 and feet were bound with barbed wire, in a forested  
5 area outside of Medan, in North Sumatra.

6 (7) Hamzah, a permanent resident of the  
7 United States who resided in Queens, New York,  
8 was last seen alive on August 5, 2000, in Medan,  
9 after which he failed to keep an appointment and his  
10 family lost all contact with him.

11 (8) As the founder and director of the Inter-  
12 national Forum on Aceh, which works for peace and  
13 human rights in Aceh, Hamzah was an important  
14 voice of moderation and an internationally known  
15 representative of his people who made irreplaceable  
16 contributions to peace and respect for human rights  
17 in his homeland.

18 (9) The Indonesian government has failed to re-  
19 lease the results of Jafar Siddiq Hamzah's autopsy  
20 report, and the inaccessibility of the report has de-  
21 layed the investigation which could lead to bringing  
22 the murderers to justice.

23 (10) There is supporting documentation from  
24 the United States Department of State and other re-  
25 liable sources that Indonesian military and police

1 forces have committed widespread acts of torture,  
2 rape, disappearance and extra-judicial executions  
3 against West Papuan and Acehnese civilians.

4 (11) In Maluku, where Muslim and Christian  
5 peoples lived in peace and respected with each other  
6 for decades, thousands have been killed and tens of  
7 thousands displaced during outbreaks of violence  
8 over the past three years.

9 (12) Militia forces known as the Laskar Jihad  
10 have arrived from Java and other islands outside  
11 Maluku to inflame hatred and perpetrate violence  
12 against Christians, and to create religious intoler-  
13 ance among the people of Maluku, and the Laskar  
14 Jihad has been openly encouraged by some Indo-  
15 nesian leaders including Amien Rais, Chair of the  
16 People's Consultative Assembly.

17 (13) Muslim and Christian leaders alike have  
18 called for the arrest of militia leaders in Maluku and  
19 asking for international assistance in ending this  
20 devastating conflict.

21 (14) The most recent instance of widespread vi-  
22 olence in Indonesia has broken out on the island of  
23 Kalimantan (Borneo), in the province of Central  
24 Kalimantan, where indigenous Dayaks brutally at-

1       tacked migrant Madurese, killing hundreds and  
2       causing thousands of others to flee.

3           (15) The people of the island of Madura who  
4       were resettled in Kalimantan under the auspices of  
5       the Soeharto government's transmigration program,  
6       which served to strengthen the political control of  
7       the regime, have become scapegoats for official gov-  
8       ernment policy, while the Dayaks have suffered from  
9       this policy and from official exploitation of the nat-  
10      ural resources of their homeland.

11      (b) SENSE OF CONGRESS.—The Congress—

12           (1) expresses its deep concern over ongoing  
13      human rights violations committed by Indonesian  
14      military and police forces against civilians in West  
15      Papua and Aceh, as well as over violence by militias  
16      and others in Maluku, Central Kalimantan, and else-  
17      where in Indonesia;

18           (2) calls upon the United States Department of  
19      State to publicly protest the reemergence of political  
20      imprisonment in Indonesia and to take necessary  
21      steps to release, immediately and unconditionally, all  
22      political prisoners, including Rev. Obed Komba, Rev.  
23      Yudas Meage, Yafet Yelemaken, Murjono Murib and  
24      Amelia Yigibalom of West Papua, and Muhammad  
25      Nazar of Aceh, all adopted by Amnesty International

1 as Prisoners of Conscience, and student demonstra-  
2 tors Matius Rumbrapuk, Laon Wenda, Jenderal  
3 Achmad Yani, Joseph Wenda and Hans Gobay of  
4 West Papua.

5 (3) calls upon the Department of State to sup-  
6 port and encourage the Government of Indonesia to  
7 engage in peaceful dialogue with respected West  
8 Papuan community leaders and other members of  
9 West Papuan civil society, as prescribed by the 1999  
10 Terms of Reference for the National Dialogue on  
11 Irian Jaya, and to urge the Governor of West Papua  
12 to create an environment conducive to the peaceful  
13 repatriation of West Papuan refugees and “illegal  
14 border crossers” who now reside in Papua New  
15 Guinea.

16 (4) calls upon the United States Government to  
17 press the Government of Indonesia to permit access  
18 to West Papua and Aceh, including the project areas  
19 of the United States-owned Freeport mine and  
20 Exxon-Mobil facilities, by independent human rights  
21 and environmental monitors, including the United  
22 Nations special rapporteurs on torture and extra-ju-  
23 dicial execution, as well as by humanitarian non-  
24 governmental organizations;



1           (5) calls upon the United States Government to  
2           press for the withdrawal of nonorganic troops from  
3           West Papua and Aceh, and an overall reduction of  
4           force numbers in those areas, particularly along the  
5           PNG border;

6           (6) calls upon the Government of Indonesia to  
7           release the autopsy report of Jafar Siddiq Hamzah  
8           immediately, to conduct a thorough, open, and  
9           transparent investigation of the murder of Hamzah  
10          and the four others with whom he was found, to  
11          offer full access and support to independent inves-  
12          tigators and forensics experts brought in to examine  
13          these cases, and to ensure that the perpetrators of  
14          these atrocities are brought to justice through open  
15          and fair trials;

16          (7) condemns the recent atrocities in Central  
17          Kalimantan the failure of Indonesian police and  
18          other security forces to intervene to stop these atroc-  
19          ities, as well as the underlying social and economic  
20          conditions caused by systematic transmigration pro-  
21          grams, imported labor, and inequitable and destruc-  
22          tive exploitation of local natural resources that have  
23          worsened the poverty and discrimination which were  
24          contributing factors in their commission;

1           (8) condemns comparable Indonesian Govern-  
2           ment policies in Maluku and the failure of Indo-  
3           nesian police and other security forces in and around  
4           Ambon to halt sectarian violence, including the oper-  
5           ations of the Laskar Jihad militia;

6           (9) calls upon the Government of Indonesia to  
7           take decisive action to halt sectarian violence in  
8           Maluku and to arrest those guilty of violence, includ-  
9           ing Laskar Jihad militia leaders and armed forces  
10          officers guilty of complicity in their operations  
11          against civilians, and to make significant progress  
12          towards rehabilitation and reestablishment of local  
13          communities displaced by the violence and rebuild  
14          the physical infrastructure of the communities;

15          (10) calls upon the Department of State to sup-  
16          port United Nations and other international delega-  
17          tions and monitoring efforts by international and  
18          nongovernmental agencies in West Papua, Aceh,  
19          Maluku, Central Kalimantan, West Timor, and other  
20          areas of Indonesia in order to deter further human  
21          rights violations, and to encourage and support  
22          international and nongovernmental agencies in ef-  
23          forts to help the people of Indonesia rebuild and re-  
24          habilitate communities torn by violence, particularly  
25          by assisting in the return of internally displaced peo-

1       ples and in efforts at reconciliation within and  
2       among communities;

3           (11) calls upon the Department of State to en-  
4       sure that all appropriate information regarding cur-  
5       rent conditions in the West Papua, Aceh, Maluku,  
6       Kalimantan, and elsewhere in Indonesia is included  
7       in the Annual Country Reports on Human Rights  
8       Practices and the Annual Report on International  
9       Religious Freedom;

10          (12) calls upon the Government of Indonesia to  
11       devote official attention, in an atmosphere of open-  
12       ness and transparency and oversight, to investiga-  
13       tions into the numerous cases of disappearances,  
14       extrajudicial killings, and other serious human rights  
15       violations in West Papua, Aceh, Maluku, Central  
16       Kalimantan, elsewhere in Indonesia, and occupied  
17       East Timor; and

18          (13) calls upon the United States Government  
19       to continue to insist upon vigorous investigation into  
20       all such violations, and upon trials according to  
21       international standards for military and police offi-  
22       cers, militia leaders, and others accused of such vio-  
23       lations.

# **TITLE VIII—SECURITY ASSISTANCE**

## **SEC. 801. SHORT TITLE.**

This title may be cited as the “Security Assistance Act of 2001”.

## **Subtitle A—Military and Related Assistance**

### **CHAPTER 1—FOREIGN MILITARY SALES AND FINANCING AUTHORITIES**

#### **SEC. 811. OFFICIAL RECEPTION AND REPRESENTATION EX- PENSES.**

Section 43(c) of the Arms Export Control Act (22 U.S.C. 2792(c)) is amended by striking “\$72,500” and inserting “\$86,500”.

#### **SEC. 812. QUARTERLY REPORT ON PRICE AND AVAIL- ABILITY ESTIMATES.**

Chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.) is amended by adding at the end the following:

#### **“SEC. 28. QUARTERLY REPORT ON PRICE AND AVAIL- ABILITY ESTIMATES.**

“(a) QUARTERLY REPORT.—Not later than 15 days after the end of each calendar quarter, the President shall transmit to the Committee on International Relations of the House of Representatives and the Committee on For-

1 eign Relations of the Senate a report that contains the  
2 information described in subsection (b).

3 “(b) INFORMATION.—The information described in  
4 this subsection is the following:

5 “(1)(A) Each price and availability estimate  
6 provided by the United States Government during  
7 such calendar quarter to a foreign country with re-  
8 spect to a possible sale under this Act of major de-  
9 fense articles having a cost of \$7,000,000 or more,  
10 or of any other defense articles or services having a  
11 cost of \$25,000,000 or more.

12 “(B) The name of each foreign country to  
13 which an estimate described in subparagraph (A)  
14 was provided, the defense articles or services in-  
15 volved, the quantity of the articles or services in-  
16 volved, and the price estimate.

17 “(2)(A) Each request received by the United  
18 States Government from a foreign country during  
19 such calendar quarter for the issuance of a letter of  
20 offer to sell defense articles or defense services if the  
21 proposed sale does not include a price and avail-  
22 ability estimate (as described in paragraph (1)(A)).

23 “(B) The name of each foreign country that  
24 makes a request described in subparagraph (A), the  
25 date of the request, the defense articles or services

involved, the quantity of the articles or services involved, and the price and availability terms requested.”.

## **CHAPTER 2—EXCESS DEFENSE ARTICLE AND DRAWDOWN AUTHORITIES**

### **SEC. 821. EXCESS DEFENSE ARTICLES FOR CERTAIN EUROPEAN AND OTHER COUNTRIES.**

(a) CENTRAL AND SOUTHERN EUROPEAN COUNTRIES.—Section 105 of Public Law 104–164 (110 Stat. 1427) is amended by striking “2000 and 2001” and inserting “2001, 2002, and 2003”.

(b) CERTAIN OTHER COUNTRIES.—Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e), during each of the fiscal years 2002 and 2003, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of such Act to Albania, Bulgaria, Croatia, Estonia, the Former Yugoslavia Republic of Macedonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Slovakia, Turkmenistan, Ukraine, and Uzbekistan.

(c) CONTENT OF CONGRESSIONAL NOTIFICATION.—Each notification required to be submitted under section 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C.

1 2321j(f)) with respect to a proposed transfer of a defense  
 2 article described in subsection (b) shall include an esti-  
 3 mate of the amount of funds to be expended under such  
 4 subsection with respect to that transfer.

5 **SEC. 822. ANNUAL REPORT ON PROJECTED AVAILABILITY**  
 6 **OF EXCESS DEFENSE ARTICLES.**

7 (a) REPORT.—Not later than 30 days prior to the  
 8 commencement of each fiscal year, the Secretary of De-  
 9 fense shall transmit to the Secretary of State a report set-  
 10 ting forth, to the maximum extent feasible, the availability  
 11 of excess defense articles for the next fiscal year for the  
 12 purpose of enabling the Department of State to factor  
 13 such availability into annual security assistance plans.

14 (b) DEFINITION.—The term “excess defense article”  
 15 has the meaning given the term in section 644(g) of the  
 16 Foreign Assistance Act of 1961 (22 U.S.C. 2403(g)).

17 **SEC. 823. EXPANDED DRAWDOWN AUTHORITY.**

18 Section 506(c) of the Foreign Assistance Act of 1961  
 19 (22 U.S.C. 2318(c)) is amended to read as follows:

20 “(c) For the purposes of any provision of law that  
 21 authorizes the drawdown of defense or other articles or  
 22 commodities, or defense or other services from an agency  
 23 of the United States Government, such drawdown may in-  
 24 clude the supply of commercial transportation and related  
 25 services and defense or other articles or commodities, or

1 defense or other services, that are acquired by contract  
 2 for the purposes of the drawdown in question, if the cost  
 3 to acquire such items or services is less than the cost to  
 4 the United States Government of providing such items or  
 5 services from existing agency assets.”.

6 **SEC. 824. LEASES OF DEFENSE ARTICLES FOR FOREIGN**  
 7 **COUNTRIES AND INTERNATIONAL ORGANIZA-**  
 8 **TIONS.**

9 Section 61(b) of the Arms Export Control Act (22  
 10 U.S.C. 2796(b)) is amended—

11 (1) by striking “(b) Each lease agreement” and  
 12 inserting “(b)(1) Each lease agreement”; and

13 (2) by striking “of not to exceed five years”  
 14 and inserting “which may not exceed (A) five years,  
 15 and (B) a specified period of time required to com-  
 16 plete major refurbishment work of the leased articles  
 17 to be performed prior to the delivery of the leased  
 18 articles,”; and

19 (3) by adding at the end the following:

20 “(2) In this subsection, the term ‘major refurbish-  
 21 ment work’ means work for which the period of perform-  
 22 ance is six months or more”.



1     **CHAPTER 3—NONPROLIFERATION AND**  
2             **EXPORT CONTROL ASSISTANCE**

3     **SEC. 831. INTERNATIONAL COUNTERPROLIFERATION EDU-**  
4             **CATION AND TRAINING.**

5             Chapter 9 of part II of the Foreign Assistance Act  
6 of 1961 (22 U.S.C. 2349bb et seq.) is amended—

7                 (1) by redesignating sections 584 and 585 as  
8                 sections 585 and 586, respectively; and

9                 (2) by inserting after section 583 the following:

10    **“SEC. 584. INTERNATIONAL COUNTER-PROLIFERATION**  
11             **EDUCATION AND TRAINING.**

12             “(a) GENERAL AUTHORITY.—The President is au-  
13 thorized to furnish, on such terms and conditions con-  
14 sistent with this chapter (but whenever feasible on a reim-  
15 bursable basis), education and training to foreign govern-  
16 mental and military personnel for the purpose of enhanc-  
17 ing the nonproliferation and export control capabilities of  
18 such personnel through their attendance in special courses  
19 of instruction in the United States.

20             “(b) ADMINISTRATION OF COURSES.—The Secretary  
21 of State shall have overall responsibility for the develop-  
22 ment and conduct of international nonproliferation edu-  
23 cation and training programs, but may rely upon any of  
24 the following agencies to recommend personnel for the

1 education and training, and to administer specific courses  
2 of instruction:

3 “(1) The Department of Defense (including na-  
4 tional weapons laboratories under contract with the  
5 Department).

6 “(2) The Department of Energy (including na-  
7 tional weapons laboratories under contract with the  
8 Department).

9 “(3) The Department of Commerce.

10 “(4) The intelligence community (as defined in  
11 section 3(4) of the National Security Act of 1947  
12 (50 U.S.C. 401a(4)).

13 “(5) The United States Customs Service.

14 “(6) The Federal Bureau of Investigation.

15 “(c) PURPOSES.—Education and training activities  
16 conducted under this section shall be—

17 “(1) of a technical nature, emphasizing tech-  
18 niques for detecting, deterring, monitoring, inter-  
19 dicting, and countering proliferation;

20 “(2) designed to encourage effective and mutu-  
21 ally beneficial relations and increased understanding  
22 between the United States and friendly countries;  
23 and

24 “(3) designed to improve the ability of friendly  
25 countries to utilize their resources, including defense

1 articles and defense services obtained by them from  
2 the United States, with maximum effectiveness,  
3 thereby contributing to greater self-reliance by such  
4 countries.”.

5 **SEC. 832. ANNUAL REPORT ON THE PROLIFERATION OF**  
6 **MISSILES AND ESSENTIAL COMPONENTS OF**  
7 **NUCLEAR, BIOLOGICAL, AND CHEMICAL**  
8 **WEAPONS.**

9 (a) REPORT.—

10 (1) IN GENERAL.—The President shall transmit  
11 to the appropriate congressional committees an an-  
12 nual report on the transfer by any country of weap-  
13 ons, technology, components, or materials that can  
14 be used to deliver, manufacture (including research  
15 and experimentation), or weaponize nuclear, biologi-  
16 cal, or chemical weapons (hereinafter in this section  
17 referred to as “NBC weapons”) to any country other  
18 than a country referred to in subsection (c) that is  
19 seeking to possess or otherwise acquire such weap-  
20 ons, technology, or materials, or other system that  
21 the Secretary of State or Secretary of Defense has  
22 reason to believe could be used to develop, acquire,  
23 or deliver NBC weapons.

24 (2) DEADLINE FOR INITIAL REPORT.—The first  
25 such report shall be submitted not later than 90

1 days after the date of the enactment of this Act and  
2 on April 1 of each year thereafter.

3 (b) MATTERS TO BE INCLUDED.—Each such report  
4 shall include, but not be limited to—

5 (1) the transfer of all aircraft, cruise missiles,  
6 artillery weapons, unguided rockets and multiple  
7 rocket systems, and related bombs, shells, warheads  
8 and other weaponization technology and materials  
9 that the Secretary of State or the Secretary of De-  
10 fense has reason to believe may be intended for the  
11 delivery of NBC weapons;

12 (2) international transfers of MTCR equipment  
13 or technology to any country that is seeking to ac-  
14 quire such equipment or any other system that the  
15 Secretary of State or the Secretary of Defense has  
16 reason to believe may be used to deliver NBC weap-  
17 ons; and

18 (3) the transfer of technology, test equipment,  
19 radioactive materials, feedstocks and cultures, and  
20 all other specialized materials that the Secretary of  
21 State or the Secretary of Defense has reason to be-  
22 lieve could be used to manufacture NBC weapons.

23 (c) CONTENT OF REPORT.—Each such report shall in-  
24 clude the following with respect to preceding calendar  
25 year:

1           (1) The status of missile, aircraft, and other  
2       NBC weapons delivery and weaponization programs  
3       in any such country, including efforts by such coun-  
4       try or by any subnational group to acquire MTCR-  
5       controlled equipment, NBC-capable aircraft, or any  
6       other weapon or major weapon component which  
7       may be utilized in the delivery of NBC weapons,  
8       whose primary use is the delivery of NBC weapons,  
9       or that the Secretary of State or the Secretary of  
10      Defense has reason to believe could be used to de-  
11      liver NBC weapons.

12          (2) The status of NBC weapons development, ac-  
13      quisition, manufacture, stockpiling, and deployment  
14      programs in any such country, including efforts by  
15      such country or by any subnational group to acquire  
16      essential test equipment, manufacturing equipment  
17      and technology, weaponization equipment and tech-  
18      nology, and radioactive material, feedstocks or com-  
19      ponents of feedstocks, and biological cultures and  
20      toxins.

21          (3) A description of assistance provided by any  
22      person or government, after the date of the enact-  
23      ment of this Act, to any such country or subnational  
24      group in the acquisition or development of—

25              (A) NBC weapons;

1           (B) missile systems, as defined in the  
2           MTCR or that the Secretary of State or the  
3           Secretary of Defense has reason to believe may  
4           be used to deliver NBC weapons; and

5           (C) aircraft and other delivery systems and  
6           weapons that the Secretary of State or the Sec-  
7           retary of Defense has reason to believe could be  
8           used to deliver NBC weapons.

9           (4) A listing of those persons and countries  
10          which continue to provide such equipment or tech-  
11          nology described in paragraph (3) to any country or  
12          subnational group as of the date of submission of  
13          the report, including the extent to which foreign per-  
14          sons and countries were found to have knowingly  
15          and materially assisted such programs.

16          (5) A description of the use of, or substantial  
17          preparations to use, the equipment of technology de-  
18          scribed in paragraph (3) by any foreign country or  
19          subnational group.

20          (6) A description of the diplomatic measures that  
21          the United States, and that other adherents to the  
22          MTCR and other arrangements affecting the acqui-  
23          sition and delivery of NBC weapons, have made with  
24          respect to activities and private persons and govern-

1       ments suspected of violating the MTCR and such  
2       other arrangements.

3           (7) An analysis of the effectiveness of the regu-  
4       latory and enforcement regimes of the United States  
5       and other countries that adhere to the MTCR and  
6       other arrangements affecting the acquisition and de-  
7       livery of NBC weapons in controlling the export of  
8       MTCR and other NBC weapons and delivery system  
9       equipment or technology.

10          (8) A summary of advisory opinions issued under  
11       section 11B(b)(4) of the Export Administration Act  
12       of 1979 (50 U.S.C. App. 2401b(b)(4)) and under  
13       section 73(d) of the Arms Export Control Act (22  
14       U.S.C. 2797b(d)).

15          (9) An explanation of United States policy re-  
16       garding the transfer of MTCR equipment or tech-  
17       nology to foreign missile programs, including pro-  
18       grams involving launches of space vehicles.

19          (10) A description of each transfer by any per-  
20       son or government during the preceding 12-month  
21       period which is subject to sanctions under the Iran-  
22       Iraq Arms Non-Proliferation Act of 1992 (title XVI  
23       of Public Law 102–484).

24       (c) EXCLUSIONS.—The countries excluded under sub-  
25       section (a) are Australia, Belgium, Canada, Denmark,

1 France, Germany, Greece, Iceland, Italy, Japan, Luxem-  
2 bourg, the Netherlands, Norway, Portugal, Spain, Turkey,  
3 the United Kingdom, and the United States.

4 (d) CLASSIFICATION OF REPORT.—The Secretary of  
5 State shall make every effort to submit all of the informa-  
6 tion required by this section in unclassified form. When-  
7 ever the Secretary submits any such information in classi-  
8 fied form, the Secretary shall submit such classified infor-  
9 mation in an addendum and shall also submit concurrently  
10 a detailed summary, in unclassified form, of that classified  
11 information.

12 (e) DEFINITIONS.—In this section:

13 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
14 TEES.—The term “appropriate congressional com-  
15 mittees” means—

16 (A) the Committee on Appropriations, the  
17 Committee on Armed Services, and the Com-  
18 mittee on International Relations of the House  
19 of Representatives; and

20 (B) the Committees on Appropriations, the  
21 Committee on Armed Services, and the Com-  
22 mittee on Foreign Relations of the Senate.

23 (2) MISSILE; MTCR; MTCR EQUIPMENT OR  
24 TECHNOLOGY.—The terms “missile”, “MTCR”, and  
25 “MTCR equipment or technology” have the mean-



1        ings given those terms in section 74 of the Arms Ex-  
2        port Control Act (22 U.S.C. 2797c).

3            (3) PERSON.—The term “person” means any  
4        United States or foreign individual, partnership, cor-  
5        poration, or other form of association, or any of its  
6        successor entities, parents, or subsidiaries.

7            (4) WEAPONIZE; WEAPONIZATION.—The term  
8        “weaponize” or “weaponization” means to incor-  
9        porate into, or the incorporation into, usable ord-  
10       nance or other militarily useful means of delivery.

11        (f) REPEALS.—

12            (1) IN GENERAL.—The following provisions of  
13        law are repealed:

14            (A) Section 1097 of the National Defense  
15        Authorization Act for Fiscal Years 1992 and  
16        1993 (22 U.S.C. 2751 note).

17            (B) Section 308 of the Chemical and Bio-  
18        logical Weapons Control and Warfare Elimini-  
19        nation Act of 1991 (22 U.S.C. 5606).

20            (C) Section 1607(a) of the Iran-Iraq Arms  
21        Non-Proliferation Act of 1992 (Public Law  
22        102–484).

23            (D) Paragraph (d) of section 585 of the  
24        Foreign Operations, Export Financing, and Re-  
25        lated Programs Appropriations Act, 1997 (as

1 contained in section 101(c) of title I of division  
2 A of Public Law 104–208).

3 (2) CONFORMING AMENDMENTS.—Section 585  
4 of the Foreign Operations, Export Financing, and  
5 Related Programs Appropriations Act, 1997, is  
6 amended—

7 (A) in paragraph (b), by adding “and” at  
8 the end; and

9 (B) in paragraph (c), by striking “; and”  
10 and inserting a period.

11 **SEC. 833. FIVE-YEAR INTERNATIONAL ARMS CONTROL AND**  
12 **NONPROLIFERATION STRATEGY.**

13 (a) STRATEGY.—Not later than 180 days after the  
14 date of the enactment of this Act, the Secretary of State  
15 shall prepare and submit to the appropriate congressional  
16 committees a five-year international arms control and non-  
17 proliferation strategy. The strategy shall contain the fol-  
18 lowing:

19 (1) A five-year plan for the reduction of exist-  
20 ing nuclear, chemical, and biological weapons and  
21 ballistic missiles and for controlling the proliferation  
22 of these weapons.

23 (2) Identification of the goals and objectives of  
24 the United States with respect to arms control and

1 nonproliferation of weapons of mass destruction and  
2 their delivery systems.

3 (3) A description of the programs, projects, and  
4 activities of the Department of State intended to ac-  
5 complish goals and objectives described in paragraph  
6 (2).

7 (b) DEFINITION.—In this section, the term “appro-  
8 priate congressional committees” means the Committee on  
9 International Relations of the House of Representatives  
10 and the Committee on Foreign Relations of the Senate.

## 11 **Subtitle B—Strengthening the** 12 **Munitions Licensing Process**

### 13 **SEC. 841. LICENSE OFFICER STAFFING.**

14 (a) FUNDING.—Of the amounts authorized to be ap-  
15 propriated under the appropriations account entitled  
16 “DIPLOMATIC AND CONSULAR PROGRAMS” for fiscal years  
17 2002 and 2003, not less than \$10,000,000 shall be made  
18 available each such fiscal year for the Office of Defense  
19 Trade Controls of the Department of State for salaries  
20 and expenses.

21 (b) ASSIGNMENT OF LICENSE REVIEW OFFICERS.—  
22 Effective January 1, 2002, the Secretary of State shall  
23 assign to the Office of Defense Trade Controls of the De-  
24 partment of State a sufficient number of license review

1 officers to ensure that the average weekly caseload for  
2 each officer does not exceed 40.

3 (c) DETAILEES.—Given the priority placed on expe-  
4 dited license reviews in recent years by the Department  
5 of Defense, the Secretary of Defense should ensure that  
6 10 military officers are continuously detailed to the Office  
7 of Defense Trade Controls of the Department of State on  
8 a nonreimbursable basis.

9 **SEC. 842. FUNDING FOR DATABASE AUTOMATION.**

10 Of the amounts authorized to be appropriated under  
11 the appropriations account entitled “CAPITAL INVEST-  
12 MENT FUND” for fiscal years 2002 and 2003, not less  
13 than \$4,000,000 shall be made available each such fiscal  
14 year for the Office of Defense Trade Controls of the De-  
15 partment of State for the modernization of information  
16 management systems.

17 **SEC. 843. INFORMATION MANAGEMENT PRIORITIES.**

18 (a) OBJECTIVE.—The Secretary of State shall estab-  
19 lish a secure, Internet-based system for the filing and re-  
20 view of applications for export of Munitions List items.

21 (b) ESTABLISHMENT OF A MAINFRAME.—Of the  
22 amounts made available pursuant to section 842, not less  
23 than \$3,000,000 each such fiscal year shall be made avail-  
24 able to fully automate the Defense Trade Application Sys-  
25 tem, and to ensure that the system—

1           (1) is an electronic system for the filing and re-  
2       view of Munitions List license applications;

3           (2) is secure, with modules available through  
4       the Internet; and

5           (3) is capable of exchanging data with—

6                (A) the Foreign Disclosure and Technology  
7       Information System and the USXPORTS sys-  
8       tems of the Department of Defense;

9                (B) the Export Control System of the Cen-  
10      tral Intelligence Agency; and

11               (C) the Proliferation Information Network  
12      System of the Department of Energy.

13       (c) MUNITIONS LIST DEFINED.—In this section, the  
14      term “Munitions List” means the United States Muni-  
15      tions List of defense articles and defense services con-  
16      trolled under section 38 of the Arms Export Control Act  
17      (22 U.S.C. 2778).

18      **SEC. 844. IMPROVEMENTS TO THE AUTOMATED EXPORT**  
19                              **SYSTEM.**

20       (a) MANDATORY FILING.—The Secretary of Com-  
21      merce, with the concurrence of the Secretary of State,  
22      shall publish regulations in the Federal Register to re-  
23      quire, upon the effective date of those regulations, the  
24      mandatory filing through the Automated Export System  
25      for the remainder of exports requiring an export license

1 that were not covered by regulations issued pursuant to  
2 section 1252(b) of the Security Assistance Act of 1999  
3 (113 Stat. 1501A–506), as enacted into law by section  
4 1000(a)(7) of Public Law 106–113.

5 (b) PLANS FOR INCLUSION OF COMMODITY DOCU-  
6 MENTATION.—

7 (1) IN GENERAL.—Not later than 180 days  
8 after the date of enactment of this Act, the Sec-  
9 retary of Commerce, in consultation with the Secre-  
10 taries of State, Defense, Energy, and Treasury, and  
11 the Director of Central Intelligence, shall submit a  
12 report to the appropriate congressional committees  
13 discussing the economic impact, and national secu-  
14 rity implications, of requiring all exporters to file  
15 commodity documentation through the Automated  
16 Export System.

17 (2) DEFINITION.—In this subsection, the term  
18 “appropriate congressional committees” means the  
19 Committee on Foreign Relations of the Senate and  
20 the Committee on International Relations of the  
21 House of Representatives.

22 (c) REQUIREMENT FOR INFORMATION SHARING.—  
23 The Secretary of State shall conclude an information shar-  
24 ing arrangement with the heads of United States Customs  
25 Service and the Census Bureau—

1           (1) to allow the Department of State to access  
2           information on controlled exports made through the  
3           United States Postal Service; and

4           (2) to adjust the Automated Export System to  
5           parallel information currently collected by the De-  
6           partment of State.

7   **SEC. 845. CONGRESSIONAL NOTIFICATION OF REMOVAL OF**  
8           **ITEMS FROM THE MUNITIONS LIST.**

9           Section 38(f)(1) of the Arms Export Control Act (22  
10   U.S.C. 2778(f)(1)) is amended in the third sentence to  
11   read as follows: “The President may not remove any item  
12   from the Munitions List until 30 days after the date on  
13   which the President has provided notice of the proposed  
14   removal to the Committee on International Relations of  
15   the House of Representatives and to the Committee on  
16   Foreign Relations of the Senate in accordance with the  
17   procedures applicable to reprogramming notifications  
18   under section 634A(a) of the Foreign Assistance Act of  
19   1961. Such notice shall describe the nature of any controls  
20   to be imposed on that item under any other provision of  
21   law.”.

22   **SEC. 846. CONGRESSIONAL NOTIFICATION THRESHOLDS**  
23           **FOR ALLIED COUNTRIES.**

24           The Arms Export Control Act (22 U.S.C. 2751 et  
25   seq.) is amended—

1           (1) in paragraphs (1) and (3)(A) of section  
2       3(d), by adding after “at \$50,000,000 or more”  
3       each place it appears the following: “(or, in the case  
4       of a transfer to a country which is a member coun-  
5       try of the North Atlantic Treaty Organization  
6       (NATO) or Australia, Japan, or New Zealand, any  
7       major defense equipment valued (in terms of its  
8       original acquisition cost) at \$25,000,000 or more, or  
9       of defense articles or defense services valued (in  
10      terms of its original acquisition cost) at  
11      \$100,000,000 or more)”;

12          (2) in section 36(b)(1), by adding after “for  
13      \$14,000,000 or more” the following: “(or, in the  
14      case of a letter of offer to sell to a country which  
15      is a member country of the North Atlantic Treaty  
16      Organization (NATO) or Australia, Japan, or New  
17      Zealand, any major defense equipment under this  
18      Act for \$25,000,000 or more, any defense articles or  
19      services for \$100,000,000 or more, or any design  
20      and construction services for \$300,000,000 or  
21      more)”;

22          (3) in section 36(b)(5)(C), by adding after “or  
23      \$200,000,000 or more in the case of design or con-  
24      struction services” the following: “(or, in the case of  
25      a letter of offer to sell to a country which is a mem-



1       ber country of the North Atlantic Treaty Organiza-  
2       tion (NATO) or Australia, Japan, or New Zealand,  
3       any major defense equipment for \$25,000,000 or  
4       more, any defense articles or services for  
5       \$100,000,000 or more, or any design and construc-  
6       tion services for \$300,000,000 or more)”;

7           (4) in section 36(c)(1), by adding after  
8       “\$50,000,000 or more” the following: “(or, in the  
9       case of an application by a person (other than with  
10      regard to a sale under section 21 or section 22 of  
11      this Act) for a license for the export to a country  
12      which is a member country of the North Atlantic  
13      Treaty Organization (NATO) or Australia, Japan,  
14      or New Zealand, of any major defense equipment  
15      sold under a contract in the amount of \$25,000,000  
16      or more or of defense articles or defense services  
17      sold under a contract in the amount of  
18      \$100,000,000 or more)”; and

19          (5) in section 63(a), by adding after  
20      “\$50,000,000 or more” the following: “(or, in the  
21      case of such an agreement with a country which is  
22      a member country of the North Atlantic Treaty Or-  
23      ganization (NATO) or Australia, Japan, or New  
24      Zealand, (i) major defense equipment valued (in  
25      terms of its replacement cost less any depreciation

1 in its value) at \$25,000,000 or more, or (ii) defense  
2 articles valued (in terms of their replacement cost  
3 less any depreciation in their value) at \$100,000,000  
4 or more)”.  
5

## 6 **Subtitle C—Authority to Transfer** **Naval Vessels**

### 7 **SEC. 851. AUTHORITY TO TRANSFER NAVAL VESSELS TO** 8 **CERTAIN FOREIGN COUNTRIES.**

#### 9 (a) AUTHORITY TO TRANSFER.—

10 (1) BRAZIL.—The President is authorized to  
11 transfer to the Government of Brazil the “Newport”  
12 class tank landing ship Peoria (LST 1183). Such  
13 transfer shall be on a sale basis under section 21 of  
14 the Arms Export Control Act (22 U.S.C. 2761).

15 (2) POLAND.—The President is authorized to  
16 transfer to the Government of Poland the “Oliver  
17 Hazard Perry” class guided missile frigate Wads-  
18 worth (FFG 9). Such transfer shall be on a grant  
19 basis under section 516 of the Foreign Assistance  
20 Act of 1961 (22 U.S.C. 2321j).

21 (3) TAIWAN.—The President is authorized to  
22 transfer to the Taipei Economic and Cultural Rep-  
23 resentative Office in the United States (which is the  
24 Taiwan instrumentality designated pursuant to sec-  
25 tion 10(a) of the Taiwan Relations Act) the “Kidd”

1 class guided missile destroyers Kidd (DDG 993),  
2 Callaghan (DDG 994), Scott (DDG 995), and Chan-  
3 dler (DDG 996). Such transfers shall be on a sales  
4 basis under section 21 of the Arms Export Control  
5 Act (22 U.S.C. 2761).

6 (4) TURKEY.—The President is authorized to  
7 transfer to the “Oliver Hazard Perry” class guided  
8 missile frigates Estocin (FFG 15) and Samuel Eliot  
9 Morrison (FFG 13). Each such transfer shall be on  
10 a sale basis under section 21 of the Arms Export  
11 Control Act (22 U.S.C. 2761). The President is fur-  
12 ther authorized to transfer to the Government of  
13 Turkey the “Knox” class frigates Capadanno (FF  
14 1093), Thomas C. Hart (FF 1092), Donald B.  
15 Beary (FF 1085), McCandless (FF 1084), Reasoner  
16 (FF 1063), and Bowen (FF 1079). The transfer of  
17 these 6 “Knox” class frigates shall be on a grant  
18 basis under section 516 of the Foreign Assistance  
19 Act of 1961 (22 U.S.C. 2321j).

20 (b) GRANTS NOT COUNTED IN ANNUAL TOTAL OF  
21 TRANSFERRED EXCESS DEFENSE ARTICLES.—The value  
22 of a vessel transferred to another country on a grant basis  
23 under section 516 of the Foreign Assistance Act of 1961  
24 (22 U.S.C. 2321j) pursuant to authority provided by sub-  
25 sections (a) and (b) shall not be counted for the purposes

1 of subsection (g) of that section in the aggregate value  
2 of excess defense articles transferred to countries under  
3 that section in any fiscal year.

4 (c) COSTS OF TRANSFERS.—Notwithstanding section  
5 516(e)(1) of the Foreign Assistance Act of 1961 (22  
6 U.S.C. 2321j(e)(1)), any expense incurred by the United  
7 States in connection with a transfer authorized to be made  
8 on a grant basis under subsection (a) or (b) shall be  
9 charged to the recipient.

10 (d) REPAIR AND REFURBISHMENT IN UNITED  
11 STATES SHIPYARDS.—To the maximum extent prac-  
12 ticable, the President shall require, as a condition of the  
13 transfer of a vessel under this section, that the country  
14 to which the vessel is transferred have such repair or re-  
15 furbishment of the vessel as is needed, before the vessel  
16 joins the naval forces of that country, performed at a  
17 United States Navy shipyard or other shipyard located in  
18 the United States.

19 (e) EXPIRATION OF AUTHORITY.—The authority pro-  
20 vided under subsections (a) and (b) shall expire at the end  
21 of the 2-year period beginning on the date of the enact-  
22 ment of this Act.

## **Subtitle D—Miscellaneous Provisions**

### **SEC. 861. ANNUAL FOREIGN MILITARY TRAINING REPORTS.**

Section 656(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2416) is amended—

(1) by striking “Not later than January 31 of each year,” and inserting “Upon written request by the chairman or ranking member of the Committee on International Relations of the House of Representatives or the Committee on Foreign Relations of the Senate,”; and

(2) by inserting “of a country specified in the request” after “personnel”.

### **SEC. 862. REPORT RELATING TO INTERNATIONAL ARMS SALES CODE OF CONDUCT.**

Section 1262(c) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001 (as enacted by section 1000(a)(7) of Public Law 106–113; 113 Stat 1501A–508) is amended—

(1) in paragraph (1)—

(A) by striking “commencement of the negotiations under subsection (a),” and inserting “date of the enactment of the Foreign Relations

1 Authorization Act, Fiscal Years 2002 and  
2 2003,”; and

3 (B) by striking “during these negotia-  
4 tions.” and inserting “to begin negotiations and  
5 any progress made to conclude an agreement  
6 during negotiations.”; and

7 (2) in paragraph (2), by striking “subsection  
8 (a)” and inserting “subsection (b)”.

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